



CITY OF HOBART

# AGENDA

OPEN PORTION OF THE COUNCIL MEETING  
MONDAY, 31 MARCH 2025  
AT 4.00 PM



## THE MISSION

Working together to make Hobart a better place for the community.

## OUR VALUES

THE COUNCIL IS:

### PEOPLE

We care about people – our community, customers and colleagues

### TEAMWORK

We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.

### FOCUS AND DIRECTION

We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.

### CREATIVITY AND INNOVATION

We embrace new approaches and continuously improve to achieve better outcomes for our community.

### ACCOUNTABILITY

We work to high ethical and professional standards and are accountable for delivering outcomes for our community.

## VISION

OUR VISION, MISSION AND VALUES HOBART: A COMMUNITY VISION FOR OUR ISLAND CAPITAL

Hobart breathes.

Connections between nature, history, culture, businesses and each other are the heart of our city

We are brave and caring.

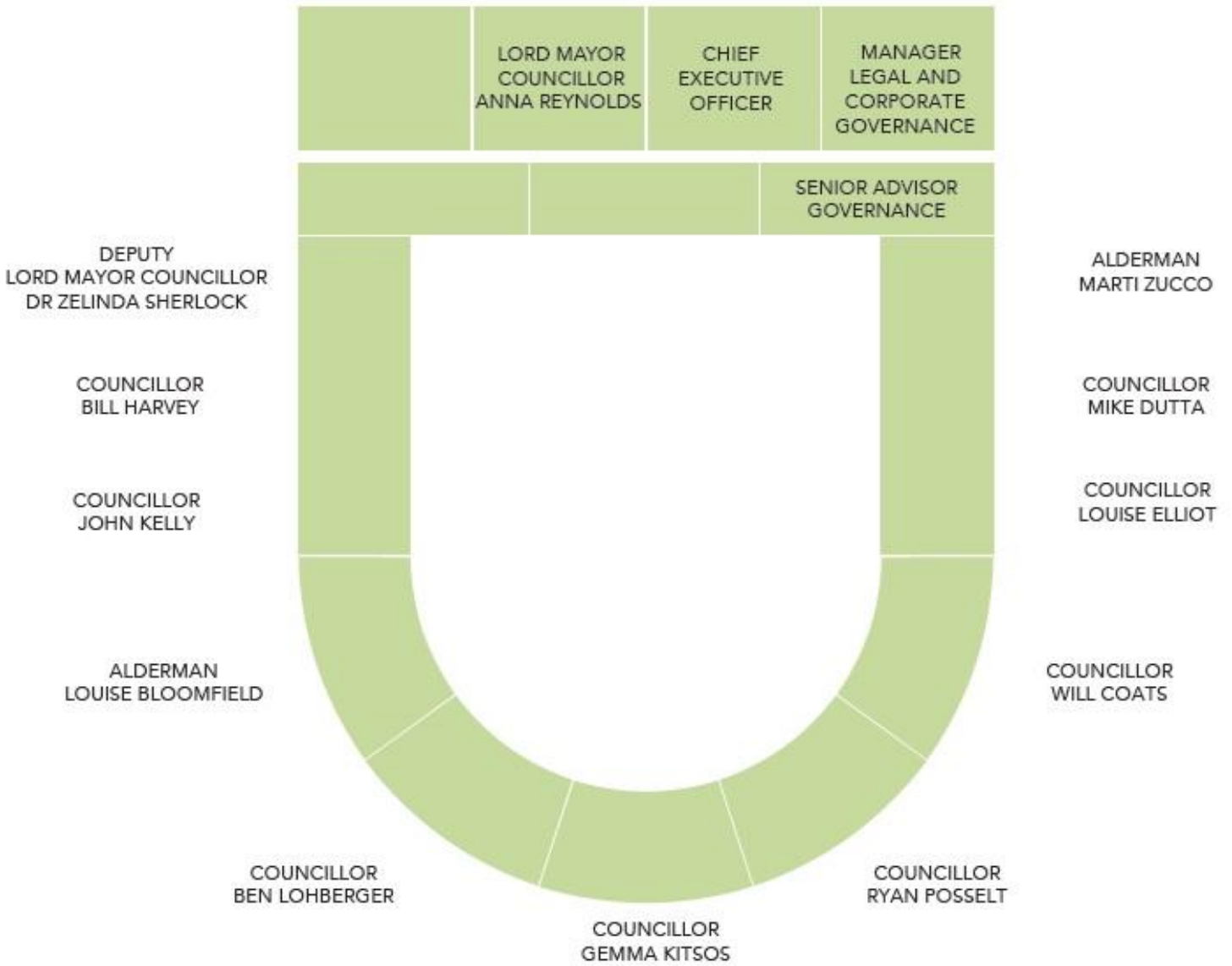
We resist mediocrity and sameness.

As we grow, we remember what makes this place special.

We walk in the fresh air between all the best things in life.



City of **HOBART**



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## ORDER OF BUSINESS

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**A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 31 MARCH 2025 AT 4.00 PM.**

**Michael Stretton  
Chief Executive Officer**

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

**ELECTED MEMBERS:**

Lord Mayor A R Reynolds  
Deputy Lord Mayor Z E Sherlock  
Alderman M Zucco  
Councillor W F Harvey  
Councillor M S C Dutta  
Councillor J L Kelly  
Councillor L M Elliot  
Alderman L A Bloomfield  
Councillor R J Posselt  
Councillor B Lohberger  
Councillor W N S Coats  
Councillor G H Kitsos

**APOLOGIES:**

**LEAVE OF ABSENCE: Nil.**

**1. ACKNOWLEDGEMENT OF COUNTRY**

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**2. CONFIRMATION OF MINUTES**

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The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 24 February 2025](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

**3. TRANSFER OF AGENDA ITEMS**

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

**4. COMMUNICATION FROM THE CHAIRPERSON**

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## 5. NOTIFICATION OF COUNCIL WORKSHOPS

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In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that the following workshops have been conducted since the last ordinary meeting of the Council.

Date: 17 March 2025  
Purpose: Tactical Bike Lane Infrastructure Trial Collins Street Project and NOM update | Local Government Electoral Bill | Remaking of Local Government Regulations | Meeting Start Times

**Attendance:**

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor Dr Z E Sherlock, Councillors W F Harvey, M S C Dutta, J L Kelly, L M Elliot, Alderman L A Bloomfield, Councillors R J Posselt, Councillor B Lohberger, and Councillor G H Kitsos

**Apologies:**

Alderman M Zucco and Councillor W N S Coats.

Date: 24 March 2025  
Purpose: Macquarie Point Stadium - Project of State Significance | Central Hobart Plan - Implementation Program update and Built Form Analysis overview

**Attendance:**

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor Z E Sherlock, Alderman M Zucco and Councillors M S C Dutta, J L Kelly, L M Elliot, Alderman L A Bloomfield, Councillors R J Posselt and B Lohberger.

**Apologies:**

Councillors W F Harvey, W N S Coats and G H Kitsos.

## **6. PUBLIC QUESTION TIME**

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Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 16/119-001

### **6.1 Public Questions**

## **7. PETITIONS**

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## **8. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

### **RECOMMENDATION**

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

## **9. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Elected Members are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda.



**OFFICER REPORTS**

**10. Transforming Collins Street - Options to retain loading zone and parking opportunities between Victoria and Murray Street**  
**File Ref: F25/8600**

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Report of the Senior Transport Engineer, Development Appraisal Planner  
Manager City Transport, and Director Strategic and Regulatory Services of  
26 March 2025 and attachments.

Delegation: Council

**REPORT TITLE:                   TRANSFORMING COLLINS STREET - OPTIONS TO  
RETAIN LOADING ZONE AND PARKING  
OPPORTUNITIES BETWEEN VICTORIA AND  
MURRAY STREET**

**REPORT PROVIDED BY:** Senior Transport Engineer  
Development Appraisal Planner  
Manager City Transport  
Director Strategic and Regulatory Services

**1.     Report Summary and Key Issue**

- 1.1.    At its 11 November 2024 meeting Council resolved that a report be prepared exploring options to retain loading zone and parking opportunities on Collins Street between Victoria Street and Murray Street as part of the Transforming Collins Street tactical trial.
- 1.2.    This report outlines a range of possible options explored for this section of Collins Street which address the Council resolution.
- 1.3.    This report also captures the engagement and consultation activities associated with the consideration of the presented options.
- 1.4.    The engagement process has again highlighted the differing views and beliefs of various groups around the allocation of public road space, road user safety, provision for alternative travel modes (i.e. bicycle), and the role pedestrian amenity and places for people plays in supporting businesses and city vitality.
- 1.5.    The option recommended for Council to pursue during the Transforming Collins Street trial balances some bicycle safety and amenity improvements with retention of vehicle parking, loading zones and an option to further promote on street dining opportunities.
- 1.6.    Sentiment from a range of stakeholders, including those present at the business and property owner workshop, was for the adoption of slower speeds in the CBD area for the safety of all road users. A resolution to further pursue action in this space is provided.
- 1.7.    Should the Council wish to retain loading zones and on street parking consistent with its resolution of 11<sup>th</sup> November 2024 then a shared bike and traffic option as outlined in **Attachment A** is proposed. This proposal is consistent with the proposal presented to the Council Workshop meeting of 17<sup>th</sup> March 2025. It is open to the Council to consider an alternative option including those as presented in the consultation phase for this matter outlined below.
- 1.8.    The following options (**Attachment B**) were considered with key stakeholders:

- 1.8.1. **Existing:** This option represents the existing conditions on Collins Street today.
  - 1.8.2. **Option 1:** This option represents the design that was originally proposed in 2024.
  - 1.8.3. **Option 2:** This option includes minor changes to the existing conditions on Collins Street today. Shared bike/traffic lanes are provided in both directions (30km/h). Kerbside parking is retained as per existing. This option is similar to that proposed in Attachment A with a number of modifications to the parking arrangements.
  - 1.8.4. **Option 3:** This option provides for one-way traffic in the northbound direction only. On-street parking is provided on both sides of the street. A protected bike lanes is provided in the southbound direction only, with a shared lane in the northbound direction.
  - 1.8.5. **Option 4:** This option provides for two-way traffic, with a northbound kerbside bike lane. The existing on-street parking is retained in the southbound direction, with a peak period bike lane ('No Stopping' during these times).
- 1.9. The engagement report providing further details of the consultation with key representatives of our community is at **Attachment C**.

## **2. Recommendation**

### ***That:***

1. ***The Council receive and note the report titled 'Transforming Collins Street - Options to retain loading zone and parking opportunities between Victoria and Murray Street'.***
2. ***Should the Council wish to retain loading zones and onstreet carparking consistent with its resolution of the 11<sup>th</sup> November 2024 then the concept design presented as 'Collins Street – Victoria Street to Murray Street – Recommended tactical trial option including parking and loading zones' (Attachment A) be adopted and progressed as a tactical trial in this section of Collins Street as part of the wider Transforming Collins Street Trial.***
3. ***The Council endorse an application to the Transport Commission for a speed limit of 30km/h on Collins Street between Harrington Street and Argyle Street.***
4. ***The Council endorse further work and engagement to support a further Council report to allow Council to consider the concept of the Inner City Courtesy Zone, as foreshadowed in the Inner City Action Plan, specifically in respect of harmonising a 30km/h speed limit around the central city (CBD) core to enhance the safety and amenity for all road users.***

### 3. Discussion and Background

#### Background

- 3.1. The Transforming Collins Street Project tactical trial of bicycle infrastructure and streetscape improvements to inform a longer-term Vision for Collins Street has a substantial project history which has been previously documented in reports to Council.
  - 3.1.1. A comprehensive history is provided in the Item 11: Background section of the report to Council's 16 September 2024 meeting.
- 3.2. At its 16 September 2024 meeting Council endorsed plans for the tactical bicycle infrastructure and streetscape improvements trial including dining decks and a zebra crossing of Collins Street.
- 3.3. On 31 October 2024 a public meeting was organised by the Confederation of Greater Hobart Business in relation to the Council endorsed tactical trial.
  - 3.3.1. The meeting was attended by Hobart City Council elected members and senior City of Hobart officers.
- 3.4. At the Council's subsequent 11 November meeting a range of motions were discussed by the Council. Council adopted a number of motions two of which are relevant to this report.
  - 3.4.1. Council meeting - 11 November 2024, Item 23 – Council resolution.

That Council: (Inter alia)

    3. *Officers prepare a report on the current issues, costings and timings on extending the operating hours of the Centrepoin and other Council operated multi-storey carparks in the CBD to allow utilisation beyond the current operating hours.*
    4. *Officers prepare a report for Council exploring options to retain loading zone and parking opportunities between Victoria and Murray Street to be trialled as part of the scheduled 3, 6 or 12 month adjustments.*
- 3.5. This report specifically addresses Council resolution 4.
- 3.6. A separate report is being prepared to consider Council operated multi-storey carparks operating hour extensions.
- 3.7. In accordance with the Council resolution, City of Hobart officers documented several concept options to assist with conversations which would achieve the intent of the resolution, and have undertaken an engagement process with key stakeholders.

- 3.7.1. The engagement included separate workshops with:
  - 3.7.1.1. Business and property owners in the identified section;
  - 3.7.1.2. Bus operators and DSG;
  - 3.7.1.3. Groups representing bicycle users; and
  - 3.7.1.4. Representatives of Accessibility users.
- 3.7.2. The engagement report is provided as Attachment C.
- 3.7.3. The recommended tactical trial design including parking and loading zones for the section of Collins Street between Victoria Street and Murray Street is provided as Attachment A.
- 3.8. This report does not address the tactical trial of bicycle infrastructure and streetscape improvements on Collins Street between Molle Street and Victoria Street. That part of the trial has already been endorsed by the Elected Members at the September 2024 Council meeting and a contractor has commenced this work.
- 3.9. A petition was received seeking a public meeting against the tactical trial which met the statutory requirements of section 59(2)(b) of the Local Government Act 1993. This petition required the Council to conduct a public meeting on the matter which was recently conducted on 25<sup>th</sup> March 2025. Only one of the 4 nominated motions was passed at the meeting which supported the original proposal for the tactical trial endorsed by the Council at its meeting of 16<sup>th</sup> September 2024 including the section between Victoria to Murray Streets. It is relevant to note that resolutions passed at public meetings are not binding on the Council.

## Discussion

- 3.10. The allocation of public road space is an area of Council's responsibilities as a road and transport manager that requires professionals to weigh up competing interests when asked to provide recommendations to Council's elected decision makers.
- 3.11. The ongoing need for road and transport managers along with elected Council members to "thread the needle" and find ways to strike a balance between conflicting and competing interests when improving the safety of our streets and the allocation of space within them.
- 3.12. In requesting an additional officer report for the section of Collins Street between Victoria Street and Murray Street to consider options "*to retain loading zone and parking opportunities*", Council is already demonstrating its commitment to the "tactical trial approach" which has been adopted to stimulate the conversation about the future changes

Council could make to improve the Collins Street connection between the City core and Hobart rivulet linear park.

- 3.12.1. It is perhaps noteworthy that this particular block of Collins Street (Victoria to Murray) is markedly different to the other blocks (Molle to Victoria) in respect of the retail and commercial offerings present.
- 3.12.2. It is also noted that block is the closest block to the off Street “Centrepunt” carpark with 782 parking bays.
- 3.13. The engagement undertaken by City Transport officers and the Stakeholder Engagement Unit to gather feedback from stakeholders on options for Council’s consideration to implement as part of “Transforming Collins Street” project is provided as Attachment C.
- 3.14. The options that were considered (Attachment B) with key stakeholders were as follows:
  - 3.14.1. **Existing:** This option represents the existing conditions on Collins Street today.
  - 3.14.2. **Option 1:** This option represents the design that was originally proposed in 2024.
  - 3.14.3. **Option 2:** This option includes minor changes to the existing conditions on Collins Street today. Shared bike/traffic lanes are provided in both directions (30km/h). Kerbside parking is retained as per existing.
  - 3.14.4. **Option 3:** This option provides for one-way traffic in the northbound direction only. On-street parking is provided on both sides of the street. A protected bike lanes is provided in the southbound direction only, with a shared lane in the northbound direction.
  - 3.14.5. **Option 4:** This option provides for two-way traffic, with a northbound kerbside bike lane. The existing on-street parking is retained in the southbound direction, with a peak period bike lane (‘No Stopping’ during these times).
- 3.15. In summary:
  - 3.15.1. Some businesses and property owners (but not all) believe loading zones and parking spaces adjacent to businesses are important for their operation. Support expressed for retention of parking and loading zones along with support for lower speed limit (30km/h) to support the safety of vulnerable road users.
  - 3.15.2. Bus operators would appreciate additional bus zone length to accommodate two (2) buses, especially given some passengers require additional time when boarding and

alighting. Bus operators supported lower speed limits (30km/h) to support the safety of vulnerable road users. Bus operators held concerns about detailed bus stop design for “bus boarder” arrangements at this location and potential conflict between passengers and bicycle / scooter riders.

- 3.15.3. Bicycle groups believe separated bicycle facilities support safer riding conditions especially for younger, older and less confident riders. Bicycle riders would appreciate additional bicycle parking. Bicycle riders supported lower speed limits (30km/h) to support the safety of vulnerable road users. There were “two” schools of thought in respect of the options considered. Separated cycle lanes in the original design are the best option for less confident bicycle riders and for attracting new riders. Option 4 – In bound kerb side bicycle lane with outbound sharrows and adjacent parking (without a peak hour clearway - which was considered inappropriate – see detail in the engagement report) was considered as balancing parking and bicycle rider safety – when the operation of the Murray Street pedestrian only phase was considered. Option 2 was seen by most representatives as not a significant change to the existing situation although a representative noted that this option could be acceptable if improved with other streetscape interventions such as dining decks, seating and greenery to help with ‘calming’ the street.
- 3.15.4. Accessibility users would appreciate additional accessible parking spaces across the City, including in this block of Collins Street. Space for Maxi Taxi pick up and set down of mobility device users is also seen as important. Clear building lines for white cane users is an ongoing issue across the City and was raised in this engagement. Again, accessibility representatives supported lower speed limits (30km/h) to support the safety of vulnerable road users.
- 3.16. In respect of the engagement, all engagement groups supported lower speed limits with support for both this section of Collins Street and for other CBD City blocks. The business and property engagement registered support for lower speed limits (30km/h) in the core CBD area.
- 3.17. Stakeholder wishes in respect of other key features of options then vary somewhat however it was generally heard that whilst a one-way street option could provide some benefits to calming traffic, retaining parking and benefiting both pedestrians and other vulnerable road users, the resulting loss of city permeability would require deeper analysis and consultation, which might not be suitable for a tactical trial.
- 3.18. Outside of the formal workshop process, Council officers have been contacted by food and beverage businesses in this block (Victoria Street to Murray Street) who would be interested in exploring opportunities for outdoor (street side) dining space.

- 3.18.1. The proposed concept tactical design would not preclude future outdoor dining in a range of locations, and discussions and concepts for further consideration can be developed during the life of the Transforming Collins Street tactical trial.
- 3.19. The separate report to Council on the issues and works which would be associated with the extension of opening hours for the Centrepont carpark is relevant to Council's considerations on this matter.
  - 3.19.1. Should Centrepont carpark opening hours be extended in the future, this would be material to some business's opening hours decisions and would be an appropriate trigger to consider other changes to Collins Street between Victoria Street and Murray Street.
- 3.20. A concept design which responds to Council's resolution of "*exploring options to retain loading zone and parking opportunities between Victoria and Murray*" along with providing some safety and amenity improvements for bicycle riders and responding to some of the other stakeholder views from the engagement is provided as Attachment C. Key features of this design include:
  - 3.20.1. Retention of parking spaces on both sides of Collins Street.
  - 3.20.2. Retention of loading zones (time limited and shared with parking spaces) on both sides of Collins Street.
  - 3.20.3. Retaining the current accessible parking space (adjacent to 125 Collins Street).
  - 3.20.4. Extending the length of the current bus zone and creating an accessible (disability) drop off and pick up only parking space.
  - 3.20.5. Providing a 30km/h (subject to final Transport Commission approval) shared lane marked with "sharrows" to improve the visibility, safety and amenity of bicycle riders.
  - 3.20.6. Providing a Murray Street junction approach bicycle lane and head start box to further provide for the visibility, safety and amenity of bicycle riders.
  - 3.20.7. Additional parking for a mix of motorcycles and bicycles has been provided by converting one (1) car parking space.
- 3.21. The engagement has also highlighted the support that exists for a speed limit of 30km/h around the City (CBD) core which would provide a range of benefits for all road users.
- 3.22. With respect to Collins Street between Murray Street, Elizabeth Street and Argyle Street it was suggested that an extension of a 30 km/h speed limit and "sharrows" treatment would link the Collins Street arterial corridor to the Argyle Street arterial corridor.



- 3.22.1. The “City bound” section of Collins Street between Argyle Street and Elizabeth Street currently has a 30km/h speed limit.
- 3.22.2. This section of Collins Street is considered appropriate for Council to consider resolving to make an application to the Transport Commission.
- 3.23. Sharrows are markings on the road showing a bicycle and arrows for the direction of travel, which confirm that the section of road is a shared lane space for vehicles and bicycles.
- 3.24. With respect to the City (CBD) core, it was noted that Liverpool Street between Elizabeth Street and Murray Street currently has a 30km/h speed limit.
  - 3.24.1. A participant noted that the parking areas around the Eastlands (Clarence City Council area) shopping centre have an 8km/h speed limit and contain a large number of speed bumps to control vehicle speed. It was further noted that vehicles are not allowed inside the shopping centre where the shops are, in the same way that the Cat and Fiddle arcade and the Elizabeth Street Mall in Hobart have limited vehicle access.
  - 3.24.2. The Hobart City (CBD) core has high pedestrian numbers throughout day light hours and increasingly into the evening. City pedestrians are accessing shops, services, workplaces, entertainment, educational and dining facilities. Creating a street environment that feels calm, safe and pleasant for vulnerable road users is important to support city visitation, use and business activities.
  - 3.24.3. There would appear to be support from a wide range of stakeholders to investigate the introduction of a 30km/h speed limit around the city (CBD) core which would benefit vulnerable road users, reduce the risk of death and injuries, contribute to a more calm and pleasant city (CBD) core street environment, and introduce a degree of layering consistency for speed limits in Hobart.
  - 3.24.4. A 30km/h speed limit around the city (CBD) core, where pedestrian and vulnerable road user density is highest, nested within a 40km/h zone helps step down vehicle speeds appropriately within a capital city and sits within the Strategy principles outlined in the recent Tasmanian Speed Management Strategy Consultation paper.
  - 3.24.5. The concept of a lower speed city (CBD) core area is not new and has previously been discussed in the Inner City Action Plan (ICAP) and referred to as the Inner City Courtesy Zone (IC CZ)
  - 3.24.6. The current rules and regulations for scooter use (both private and hire) on roads would benefit from a further “deep dive” to

ascertain if a low-speed shared environment might allow for scooter use on certain streets to be permitted.

- 3.25. It is recommended that Council resolve to undertake further work to support a report to be provided to allow Council's consideration of an application to the Transport Commission for a lower speed city (CBD) core area.
- 3.26. Should Council wish to consider another option, it is the view of officers that the presented option to stakeholders named 'Northbound Cycleway only', with Southbound 'Sharrows' and the retention of existing kerbside use (not clearway) on the Southbound side, is the next best option.
- 3.27. Note that further work would need to be undertaken to formalise the specific kerbside use on the Southbound side, and that this option would preclude the further activation of the Northbound side for street-side dining in this block.

#### **4. Legal, Risk and Legislative Considerations**

- 4.1. The proposed tactical streetscape improvements comprise a range of road and traffic management devices, which seek to improve safety and amenity for vulnerable road users.
- 4.2. The City of Hobart has delegation to install various traffic management devices and will undertake a risk assessment of proposed treatments against AustRoads guidance and against the City's risk assessment template at the detail planning stage.
- 4.3. Some aspects of the project will require a direction from the Transport Commission, such as the change in speed limit to 30km/h and modifications to traffic signals.
- 4.4. Scooter use on lower speed streets and within the city (CBD) core road network is an aspect of the current legislative framework which would be further explored should Council resolve to support a further report on the issue of a lower speed city (CBD) core area.

#### **5. Strategic Planning and Policy Considerations**

- 5.1. The project supports Pillar 5: Movement and Connectivity of the Community Vision.
  - 5.1.1. The key strategic outcome of the Capital City Strategic Plan supported by the project is:

Pillar 5: Movement and Connectivity

Outcome 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

Outcome 5.2 Hobart has effective and environmentally sustainable transport systems.

5.2 The project is identified in the Central Hobart Plan:

Goal 4: Integrated and accessible movement networks

Strategy 11.1

Continue to support the provision of improved walking and micromobility facilities that will support more people to access Central Hobart from proximate Hobart suburban areas.

Action: A.55: Complete and Connect the bicycle and micro mobility facilities on the key corridors of Argyle Street, Campbell Street and Collins Street.

Action: A. 56: Improve pedestrian facilities, greening and amenities on the key streets identified in the Urban Design Framework.

Action: A.63: Develop street vision plans, with initial priorities being for Elizabeth Street and Collins Street that are universally accessible and consistent with the Central Hobart Urban Design Framework.

## **6. Financial and Economic Considerations**

6.1. Financial Considerations:

6.1.1. The works required to support this tactical trial proposal are predominantly signage and line marking changes. It is anticipated the works would have a cost of around \$30,000.

## **7. Climate and Sustainability Considerations**

7.1. Improving active transport facilities provides greater choice for individuals who can, to access the city by bicycle or other active transport means. Trip substitution of a car-based trip to the city to an active transport mode (walking, cycling, scooting or public transport) has a direct reduction on car use, a corresponding reduction in greenhouse gas emissions and improves the sustainability of the City.

## **8. Community and Business Engagement and Collaboration**

8.1. The engagement activities undertaken as part of this Council report have been documented in the Engagement report provided as Attachment C.

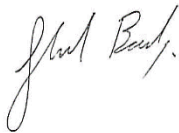
8.1.1. Key stakeholders who took part in the engagement are identified in the report.

- 8.2. In addition a public meeting on the tactical trial of bicycle infrastructure in Collins Street was recently conducted on 25<sup>th</sup> March 2025. Only one of the 4 nominated motions was passed at the meeting which supported the original proposal for the tactical trial endorsed by the Council at its meeting of 16<sup>th</sup> September 2024 including the section between Victoria to Murray Streets.

## 9. Implementation and Communications Plan

- 9.1. Should the Council resolve to adopt the concept plan provided in Attachment A (or a variant to that plan) officers would undertake the necessary detail design and approvals to implement the trial changes.
- 9.2. The Council's decision (s) will be provided by direct communications to property owners and occupiers in the section of Collins Street between Victoria Street and Murray Street.
- 9.3. The Council's decision (s) on this matter will be communicated to the wider public and other stakeholders via the project's webpage and regular project updates.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



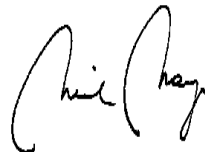
Stuart Baird  
**SENIOR TRANSPORT ENGINEER**



Michaela Nolan  
**DEVELOPMENT APPRAISAL  
PLANNER**




Daniel Verdouw  
**MANAGER CITY TRANSPORT**




Neil Noye  
**DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**

Date: 26 March 2025

File Reference: F25/8600

Attachment A: Collins Street - Victoria Street to Murray Street - Recommended tactical trial option (Supporting information) 

Attachment B: Collins Street - Victoria Street to Murray Street - Considered Options (Supporting information) 

Attachment C: Engagement Report (Supporting information) 

**11. Dark Mofo 2025 Sponsorship and In Kind Support**  
**File Ref: F25/10769**

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Report of the Manager Creative City and Director Community and Economic Development of 26 March 2025 and attachment.

Delegation: Council

**REPORT TITLE:                    DARK MOFO 2025 SPONSORSHIP AND IN KIND SUPPORT****REPORT PROVIDED BY:** Manager Creative City  
Director Community and Economic Development**1.     Report Summary**

- 1.1.    This report presents a request from DarkLab for sponsorship of the Winter Feast 'Free Sunday' Community Day, a component of the Dark Mofo 2025 festival, shown as **Attachment A** to this report.
- 1.2.    Dark Mofo provides significant value to the City of Hobart (the City) and has a proven track record in attracting interstate and international visitation to the state during the winter period.
- 1.3.    The City has supported Dark Mofo with significant cash and in-kind sponsorship for close to a decade.
- 1.4.    The festival delivers a substantial benefit to the Hobart economy through tourism, accommodation, local cafes, restaurants and retail as well as contributing to cultural and social vibrancy.

**2.     Key Issues**

- 2.1.    In 2024, the City of Hobart contributed \$150,000 (excluding GST) of cash and \$243,651.63 in-kind support, providing the City with naming rights for the Winter Feast and various promotional opportunities.
- 2.2.    The estimated cumulative attendance to Dark Mofo in 2024 was 29,098 unique attendees, including 33,557 Winter Feast tickets sold. Stallholders at Winter Feast grossed 4.1 million.
- 2.3.    The estimated cumulative attendance to Dark Mofo in 2023 was 68,010 unique attendees, including 46,752 Winter Feast tickets sold. Stallholders at Winter Feast grossed 4.1 million.
- 2.4.    There was a decrease in ticket prices between 2023 and 2024, with prices in 2025 returning to 2023 levels. The 2024 price decrease was aimed at supporting attendance levels at a significantly smaller event program.
- 2.5.    The Dark Mofo event for 2025 plans to return to full capacity, including broader ticketed artists and non-ticketed community programming seen in previous years such as Dark Park and the Ogoh Ogoh Parade.
- 2.6.    Feedback from DarkLab related to workshop discussions provide clarification on items within the attached Dark Mofo sponsorship proposal, including;

- 2.6.1. There are three categories of income derived from the event, which include ticket sales, stallholder commissions paid to DarkLab, and income from reusable cup sales.
  - 2.6.2. There are also three categories of expenditure, which include production costs, associated permanent staff costs and marketing and promotional costs.
  - 2.6.3. These costs do not represent all expenditures related to DarkLabs proposal, with some costs sitting within Dark Mofo general operations budget, and not easily split across projects.
  - 2.6.4. Stallholders pay DarkLab via commissions, and as the system is based on percentage of sales, the amount paid varies widely with higher grossing stalls paying the most.
  - 2.6.5. Gross takings by all stallholders in 2024 was approximately \$3.2M. In 2023 they were \$4.1M.
  - 2.6.6. Collectively, in 2024, stallholders paid DarkLab approximately \$600,000. In 2023 they paid approximately \$700,000.
  - 2.6.7. Regarding increasing commissions paid by Winter Feast stallholders, the festival will introduce a 1% increase in 2025. Stallholders indicate this is the maximum they could absorb with higher commissions generally leading to increased prices to attendees.
  - 2.6.8. Regarding increases to ticket prices, the festival indicates this may lead to negative audience reactions and potentially impact overall attendance. While a price increase in 2026 remains a possibility, it must be carefully considered to avoid discouraging participation.
- 2.7. DarkLab's request (**Attachment A**) is for \$250,000 (excl. GST) plus a range of in-kind support, which is for naming rights for the 'Free Sunday' Community Day as part of the 2025 Winter Feast and associated ancillary sponsorship benefits which are proposed to include:
- 2.7.1. Placement of two lightboxes featuring the City of Hobart name and logo at the Winter Feast 'Free Sunday' Community Day, with locations to be determined in consultation with the Council.
  - 2.7.2. Opportunity for official quotes from a Council representative to be included in relevant Dark Mofo and event media releases.
  - 2.7.3. Access to digital media—images and other promotional materials related to Dark Mofo and the Winter Feast will be provided to the Council to support its promotional efforts.

- 2.7.4. Inclusion in Dark Mofo's social media schedule, ensuring the Winter Feast 'Free Sunday' Community Day is featured across festival communications.
- 2.7.5. Four (4) double Season Passes to the Winter Feast—available for promotional use and online competitions.
- 2.7.6. Invitations to the festival's Stakeholder Event for Council representatives.

### **3. Recommendation**

#### ***That:***

- 1. The Council endorse a one-year sponsorship agreement with DarkLab for Dark Mofo 2025, with sponsorship obligations of:**
  - (i) \$150,000 cash (excluding GST), for the exclusive naming rights sponsorship of the 2025 Dark Mofo Winter Feast Community Day to be held in June 2025, and any other ancillary benefits as negotiated for inclusion in the Sponsorship Agreement, to be paid in accordance with the City of Hobart Inbound Requests for Sponsorship Policy.**
  - (ii) In-kind support through full and partial fee waivers for equipment for the Winter Feast, to the total value of \$313,110 (excluding GST), noting that DarkLab will need to meet all costs of installation and transportation of this equipment.**
- 2. The Council delegate the authority to the Chief Executive Officer to negotiate and enter into the sponsorship agreement on the Council's behalf, and finalise any licence requirements, including the details of the sponsorship benefits and incidental additional requests for in-kind support sought by DarkLab for Dark Mofo 2025.**
- 3. The total value of the sponsorship be recorded in the 'Grants, Assistance and Benefits Provided' section of the City of Hobart's Annual Report.**
- 4. In alignment with recent Council resolutions for inbound sponsorship requests, the Council advise DarkLab that it intends to conduct a review of the funding that it provides for the Dark Mofo 2025 festival, together with the festival's community benefits and value, to guide consideration for future funding requests.**



#### **4. Discussion and Background**

- 4.1. Dark Mofo, now entering its second decade, has evolved into a flagship cultural event in Hobart and across Tasmania, thanks to the strong support of its stakeholders and community.
- 4.2. The festival has gained national and international recognition for its high-quality programming, consistently delivering a diverse range of artistic, musical, cultural, and culinary experiences.
- 4.3. Dark Mofo 2025, scheduled to run from 5 – 15 June 2025, aims to continue this legacy with a rich line-up of free and ticketed events designed to captivate and inspire attendees.
- 4.4. Dark Mofo 2025's program sees a return to the 2023 offer and includes free and paid events including:
  - 4.4.1. Eight (8) evenings of free public art events across the City
  - 4.4.2. Nine (9) evenings of music across multiple venues
  - 4.4.3. Regional activations
  - 4.4.4. Four (4) Late night events
  - 4.4.5. Eight (8) evenings of Winter Feast including a Sunday with free entry
  - 4.4.6. The return of Ogoh Ogoh purging, parade and burning
  - 4.4.7. Nude Solstice Swim returning with its increased capacity of 3,000
- 4.5. While specific details of the festival's scope are being finalised, key highlights include a city-wide art program featuring installations in the reimagined Dark Park precinct, a multi-venue music series, and signature events such as the Ogoh-Ogoh parade, the Winter Feast, and the Nude Solstice Swim on 21 June 2025.

#### **5. Legal, Risk and Legislative Considerations**

- 5.1. A risk assessment will be undertaken for the Dark Mofo festival as they will be using City assets, and this will ensure that any potential risk to the City is acceptable.
- 5.2. A risk assessment of DarkLab's event management plan will be reviewed by the City of Hobart's Risk and Audit officers to ensure that:
  - 5.2.1. The use of Council venues complies with safety requirements.

- 5.2.2. The use of Council equipment in the Dark Mofo 2025 festival's proposed venues complies with safety requirements
- 5.3. Should the Council approve this sponsorship, formal agreements will be entered into between DarkLab and Hobart City Council, and signed by both parties.
  - 5.3.1. The City's Legal & Governance, Risk & Audit, and Procurement officers will be consulted with in the preparation of the sponsorship agreements.
  - 5.3.2. Relevant officers from other Council areas will also be consulted as required.
- 5.4. Events within the City of Hobart are required to comply with the City's By-laws, as listed in Section 8 of this report.

## **6. Strategic Planning and Policy Considerations**

- 6.1. The Dark Mofo sponsorship proposal supports the Hobart: A Community Vision for our Island Capital document, namely in its community vision, strategic plan and community inclusion and equity framework.
- 6.2. The support of large commercial events aligns with the *City of Hobart Capital City Strategic Plan 2023* namely under:
  - Pillar 1: Sense of Place:
    - 1.1 Hobart keeps a strong sense of place and identity, even as the City changes.
  - Pillar 3: Creativity and Culture
    - 3.1.5 Support and deliver events, festivals and markets
    - 3.4.1 Support the activation of City-owned spaces for creative, cultural and commercial initiatives.
  - Pillar 4: City Economies
    - 4.1.2 Attract investment that supports businesses and communities to flourish in ways consistent with the Community Vision, and 4.3.1 Develop and maintain relationships with key institutions and stakeholders in the Hobart economy.
  - Pillar 6: Natural Environment
    - 6.5.4 Encourage opportunities to activate the City's open space network for events and activations

## 7. Financial and Economic Considerations

### 7.1. Financial Considerations

- 7.1.1. Should Council approve the cash and in-kind support proposed in this report, it will be provided as a one-year sponsorship, reflected in the City's 2024-25 operational budget.
- 7.1.2. The cash request of \$150,000 (excluding GST) has been allocated in the 2024-25 operational budget.
- 7.1.3. The total request from the organisers of \$250,000 (excluding GST) is not supported within the current budget allocation.
- 7.1.4. The in-kind support requested is a significant increase on previous years including \$243,651.63 in 2024, increasing to \$313,110 in 2025, an increase of \$69,459.
  - 7.1.4.1. The additional \$69,459 in support from previous years are attributed to additional use of additional City Venues and spaces.
  - 7.1.4.2. In-kind support has been collated through internal Council work areas including Cleary's Gate depot, Events and Activations, Parks, and Parking to ensure a consistent and supported approach.
  - 7.1.4.3. In-kind support is not recommended where a direct cost would be borne by the City (e.g. statutory advertising for road closures).

<b>Summary of In-Kind Support Items</b>	<b>Value</b>
<b>EQUIPMENT HIRE</b>	
Table & bench sets	\$17,963.64
PW1 food kiosks - including walls and 5000L Water Tanks	\$165,818.18
PW1 purpose built cold room with wall panelling and fittings	\$9,000.00
Container ramps	\$832.63
Concrete terrorist blocks	\$2,570.18
Wheelchair ramps (yellow and black foldable)	\$166.53
Stillage of vinyl (good/large rolls)	\$3,663.65
<b>VENUES &amp; SPACES</b>	
Royal Hobart Regatta Grounds (foreshore) Major Event Fee & Fee per Day	\$18,808.00
Salamanca Lawns	\$24,361.00
Long Beach	\$300.00
Mawson Concourse	\$3,594.50
City Hall	\$9,370.00
<b>PARKING</b>	
Royal Hobart Regatta Grounds Parking	\$6,912.00
Parking costs	\$22,629.00
<b>OTHER</b>	
Civic Banners - Administration / processing fee component only. In-kind support excludes the cost of or the supply of the banners and excludes the installation cost, which is a direct cost incurred by the City and will be the responsibility of DarkLab for payment.	\$1,601.00
Road Closures - Licence fee only. In-kind support excludes the advertising fee which is a direct cost incurred by the City and will be the responsibility of DarkLab for payment.	\$1,207.50
Place of Assembly Permits	\$789.00
Fabrication and Labour	\$8,100.00
Miscellaneous as they arise	\$15,423.19
<b>Total (GST exclusive)</b>	<b>\$313,110.00</b>

## 7.2. Economic Impact

- 7.2.1. A core element of Dark Mofu's success lies in its strong connection to the community. Each year, the festival creates substantial employment and volunteer opportunities while supporting local businesses through its commitment to a 'buy local' approach.

- 7.2.2. Its economic impact has been significant, generating approximately \$54.3 million annually and contributing \$51.5 million in expenditure to Hobart's economy. For 2025, Winter Feast stallholders alone can anticipate around \$4 million in food and beverage sales.
- 7.2.3. In 2024, the festival maintained its media impact, recording an Advertising Value Equivalency (AVE) of \$40.8 million, which increased the festival's average AVE between 2018 and 2024 to \$37.5 million.

## **8. Climate and Sustainability Considerations**

- 8.1. Events or activities within the City of Hobart are required to comply with:
  - 8.1.1. *City of Hobart Public Spaces By-law No.4 of 2018*
  - 8.1.2. *City of Hobart Single-use Plastic By-law 2020*
  - 8.1.3. *City of Hobart Waste Management By-law No.3 of 2018*
- 8.2. All events operated within the City of Hobart must comply with the City's endorsed *Waste Reduction Statement of Commitment*.
- 8.3. Events or activities that the City of Hobart support are required to support the objectives of the City of Hobart Waste Management Strategy 2015-30.
  - 8.3.1. Applicants must outline their commitment to sustainable events, certified compostable food packaging and reducing waste to landfill.
- 8.4. The Dark Mofo festival sustainability initiatives comply with the Waste Management strategy 2025-30 and is expected to divert around 90,000 plates and cups from recycling or landfill. The festival organisers have worked closely with council staff to deliver the event to ensure successful and proactive partnership with the City.

## **9. Community and Business Engagement and Collaboration**

- 9.1. Dark Mofo undertakes extensive engagement with stakeholders and Council officers make recommendations to assist event organisation. The DarkLab team presented at a recent Hobart Events Committee and to Elected Members at the Hobart Workshop Committee's meeting of 11 February 2025
- 9.2. Officers have engaged internally to connect event organisers to all relevant areas for engagement, permissions, media and so on.
- 9.3. As with previous years, the City will work with the event organisers to further seek opportunities to showcase work and programs undertaken across Council and other government organisations.

- 9.4. Beyond its economic benefits, Dark Mofo remains dedicated to fostering sustainability, inclusivity, and meaningful engagement with First Nations and Aboriginal communities. The opening night of the Winter Feast will feature Indigenous performers.

## 10. Implementation and Communications Plan

- 10.1. A media and communications strategy will be developed in consultation with DarkLab.
- 10.2. Sponsorship benefits have been discussed with DarkLab to provide appropriate acknowledgment of the City of Hobart. These will be finalised once the Council has determined the level of support that the City will provide.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Justyne Wilson  
**MANAGER CREATIVE CITY**



Ben Artup  
**DIRECTOR COMMUNITY AND  
ECONOMIC DEVELOPMENT**

Date: 26 March 2025  
File Reference: F25/10769

Attachment A: Dark Mofo 2025 Sponsorship Request (Supporting information)



**12. Safer Hobart Alliance**  
**File Ref: F24/107101**

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Report of the Manager Community Programs and Director Community and Economic Development of 26 March 2025 and attachment.

Delegation: Council

**REPORT TITLE: SAFER HOBART ALLIANCE****REPORT PROVIDED BY:** Manager Community Programs  
Director Community and Economic Development**1. Report Summary**

- 1.1. The purpose of this report is to provide advice on the establishment of a Safer Hobart Alliance (SHA), to replace existing consultative groups with a higher-level collaborative group of key safety and business stakeholders.
  - 1.1.1. The SHA would be a Council advisory committee with the purpose of bringing together key representatives to share information and collaborate on crime prevention initiatives. It would be a strategic overarching community safety alliance that would initially focus on the CBD and Salamanca nighttime precinct areas.
    - 1.1.1.1. The SHA would consist of external representatives from Tasmania Police; State Government Agencies (such as Department of Treasury, Department of Health, Liquor and Licensing, Department of State Growth, Business Tasmania); Tas Ports; Metro Tasmania; Crimestoppers; Tasmanian Hospitality Association; Tasmanian Small Business Council; TCCI; Greater Hobart Confederation of Hobart Businesses; and key business and property owners.
    - 1.1.1.2. The SHA would be chaired by an Elected Member and attended by the Chief Executive Officer and staff from Community Programs, Economic Development and other networks as required.
  - 1.1.2. Community safety is not the sole responsibility of the City of Hobart (the City). To maximise safety and reduce negative impacts from crime in the city, there must be collaboration with Tasmania Police, government agencies, business owners and operators and the community.
  - 1.1.3. The formation of the SHA would provide an additional opportunity for the City to engage and collaborate directly with businesses, building owners and business groups.
  - 1.1.4. The City needs its community to engage and participate. Failure to understand the needs of people of all ages, abilities, cultures and interests can result in a lack of engagement, social issues, increased antisocial behaviour and crime.
  - 1.1.5. The SHA would support the implementation of the recommendations from the WLF Safety Report (2023) and



oversee delivery of community safety actions included in the City for All Implementation Framework (currently in draft).

- 1.1.6. The SHA would meet quarterly and replace the current Hobart Retailers Safety and Security Group (which has been in obeyance since 2023 and the Late-Night Precinct Stakeholders Group (currently active) by elevating membership and strengthening the connections of these committees. The SHA would incorporate new strategic safety partners.
- 1.1.7. Several members from the previous two safety committees managed by the City of Hobart would be invited to attend the new SHA. A list of potential members is provided in the Terms of Reference shown at **Attachment A**.
  - 1.1.7.1. There would continue to be operational meetings with the service providers that deliver late night support and services on Friday and Saturday nights on the waterfront (Salvo's Street Teams; St John's Party Safe; and Essential Security). Issues and concerns raised from these meetings would be elevated to the SHA.
  - 1.1.7.2. The existing Youth Outreach and Diversionary Alliance comprising of Tasmania Police, Department for Education, Children and Young People (DECYP), Youth Justice, Department of Premier and Cabinet (DPAC) and youth service providers would also continue in its current format. Alliance meetings are well-attended, and representatives have collaborated on the delivery of youth initiatives. Issues raised at this group would be elevated to the SHA.

## 2. Key Issues

- 2.1. All residents, workers and visitors should feel safe in the city, both day and night. People of all ages and cultural groups should feel comfortable engaging in organised activities and be able to linger in public spaces and parks to enjoy our vibrant community life.
- 2.2. Public commentary, community feedback, business engagement and negative media reporting all indicate wide concern around crime and safety issues in the city.
- 2.3. The most recent City of Hobart community survey indicates the reasons that the public feel unsafe is due to drug and alcohol use in public places, crime and policing, people including anti-social behaviour, perception of safety at night including low lighting and a general perception of not feeling safe. The three most prominent places the public feel unsafe are the CBD, Salamanca and local shopping

precincts such as the waterfront, North Hobart, Wellington Centre and the Royal Hobart Hospital.

- 2.4. City of Hobart staff continue to work very closely with Tasmania Police to provide a safer Hobart for the community to access and have recently undertaken several joint activities. Councils are responsible for creating public places where people can live healthy, active lives and participate in their communities.
- 2.5. City of Hobart staff who have roles working in the City's public spaces also continue to report personal safety concerns that require a considered and coordinated response by the stakeholders involved in the alliance.
- 2.6. The current two networks have complimenting agendas and by bringing them together with a strategic focus it would enable the City to review and respond to issues more holistically. It is intended to include high level decision makers and property owners as part of the alliance, encouraging collaboration and ownership of potential initiatives and actions.
- 2.7. The City invests considerable funding into safety assets across the municipality (such as CCTV cameras) which provide greater understanding and oversight of current or emerging issues. The SHA members would work alongside the City to maximise the learnings obtained from these assets.
- 2.8. It is noted that there are other areas of the municipality that would not be represented with the proposed SHA as it would initially be focussed on the CBD and Salamanca area. Once the SHA is established and fully operational, there could be the potential to expand the representation to enable stakeholders from other precincts in the municipality to participate (e.g. North Hobart, New Town, Sandy Bay, South Hobart, etc.).

### **3. Recommendation**

#### ***That:***

- 1. *The Council approves the establishment of a Safer Hobart Alliance as a Council advisory committee.***
- 2. *The Council endorses the Safer Hobart Alliance's Terms of Reference marked as Attachment A to this report.***
- 3. *Council appoints an Elected Member [name to be determined] to be the Chairperson of the Safer Hobart Alliance.***

#### 4. Background

- 4.1. The City has provided responses to community safety for over 16 years with the first Safer Hobart Action Plan being developed in 2009.
- 4.2. In 2009 the first consultative group was formed, being the Safer Hobart Partnership. This group operated for six years however was disbanded in 2015 due to challenges with retaining membership and getting partners to commit to actions.
- 4.3. It is noted that the work the City undertakes in respect of community safety is not just related to public spaces or the impact of crime on businesses. The City advocates and supports service providers to raise awareness and advocate on issues such as domestic and family violence, elder abuse, suicide prevention and sexually motivated crime. The City also has role to understand and where required raise awareness on issues relating to tobacco, alcohol and other drugs.
- 4.4. It is acknowledged that there are increasing community and business expectations that Local Government takes a more active role in community safety.
- 4.5. City staff actively participate on the Capital City Lord Mayor's (CCCLM) Safe Cities Network and it recognised that this increased expectation is visible across all capital cities.
  - 4.5.1. It is noted that community safety and concerns around crime (particularly youth behaviour and weapons) are also being experienced in other Greater Hobart municipalities where those councils are also having to respond through a range of mechanisms.
- 4.6. City staff are regularly requested to respond to a range of anti-social behaviours in public places. Although crime and anti-social behaviour has always been present in the CBD, the reporting of criminal behaviour seems to have intensified.
  - 4.6.1. Over the past couple of years, the issues being reported include violent behaviour, carrying of weapons, overt drug dealing, public intoxication, anti-social behaviour and people experiencing prejudice such as racism and homophobia.
- 4.7. During this time, the City has relied on contracting security guards for public places to manage community behaviour and increase safety of those who live, work and play in the city.

#### **Hobart Retailers Safety and Security Group (HRSSG)**

- 4.8. The HRSSG was formed in 2019 in response to several serious incidents in the CBD in retail premises that included serious abuse towards staff and a significant increase in shop lifting. The group consisted of City of Hobart staff, Tasmania Police, Crime Stoppers,

shop owners, shop managers, property managers from Cat and Fiddle, Centre Point, Elizabeth Street Mall, Wellington Court, Bank Arcade, Wellington Centre, Tasmanian Small Business Council and the Confederation of Greater Hobart Business.

- 4.9. Over the past couple of years (post COVID) the number of businesses attending this group has declined. It is acknowledged that finding a suitable time for business owners and operators to attend has been challenging. Businesses report that they often struggle with staffing and often cannot attend at the last moment due to these challenges.

### **Late-Night Precinct Stakeholder Group (LNPSG)**

- 4.10. The (LNPSG) was formed in 2015 to provide a collaborative forum where partners involved in the Street Team Collaboration (City of Hobart, Salvation Army Street Teams, Tasmania Police and SL Security) came together to share information and learnings of what was happening on the waterfront late at night.

4.10.1. As part of the Street Team Collaboration the City of Hobart committed to funding security to be present at the taxi rank and central Salamanca area. The Street Team Collaboration was modelled on a similar operation that was being delivered in Swanston Street, Melbourne. The collaboration's key purpose was harm minimisation and to support the community to get home safe. There was significant media and promotion when this initiative commenced.

- 4.11. In December 2018 the role of the LNPSG was broadened due to a range of increasing anti- social/violent issues that were being experienced in the late-night precinct, and the need for a broader co-ordinated response to those current and future issues in the precinct. The members of the group increased to include business representation and State Government representation from other agencies.

- 4.12. The meetings provide an opportunity for the group to share information and collaborate on initiatives that improve the operation and amenity of the late-night precincts within the City of Hobart for all those who work in or visit this precinct. It is noted that since the SHP trial concluded prior to COVID, business operators have not been actively involved in the partnership.

## **5. Legal, Risk and Legislative Considerations**

- 5.1. There are no foreseen legal or legislative considerations with the establishment of this partnership.

## **6. Discussion**

- 6.1. The SHA would be a Council advisory committee with the purpose of bringing together key representatives to share information and

collaborate on crime prevention initiatives. It would be a strategic overarching community safety alliance.

- 6.1.1. The Youth Diversionary Alliance and Late-Night Precinct service operators would continue to meet with issues and concerns elevated to the SHA where necessary.
- 6.2. External representatives from Tasmania Police; State Government Agencies (such as Department of Treasury, Department of Health, Liquor and Licensing, Department of State Growth, Business Tasmania); Tas Ports; Metro Tasmania; Crimestoppers; Tasmanian Hospitality Association; Tasmanian Small Business Council; Tasmanian Chamber of Commerce & Industry (TCCI); Greater Hobart Confederation of Hobart Businesses; and key business and property owners would be invited to be members of the SHA.
- 6.3. The SHA would be chaired by an Elected Member and attended by the Chief Executive Officer and staff from Community Programs, Economic Development and other networks as required.
- 6.4. The SHA would operate in line with the draft Terms of Reference and would initially meet quarterly (the frequency of the meetings could be adjusted as required).

## **7. Hobart: A Community Vision For Our Island Capital**

- 7.1. This proposal aligns strongly with several elements within the community vision, in particular:

Pillar 1 - We create and retain spaces where people feel connected with Hobart, each other and the environment, where we are safe, engaged and inspired.

Pillar 2. - We are a safe city, where everyone feels safe and is safe, including in public spaces. We look after each other.

Pillar 3. - Our city feels friendly and safe – but we know not everyone experiences our city this way, and we could do better.

Pillar 8. - We use our connections and networks to enable participation in civic life. Our strong partnerships support collaboration across councils, community organisations, businesses and other levels of government.

## **8. Capital City Strategic Plan**

- 8.1.1. This proposal aligns strongly with the Capital City Strategic Plan 2023. In particular:

- 1.2.5 - Implement Urban Design and Public Realm Design guidelines for streetscapes and public spaces that are

welcoming, high-quality, comfortable, vibrant, green accessible, inclusive and safe.

- 2.4.1 - Protect and improve public and environmental health, wellbeing and safety.
- 2.4.2 - Ensure that Hobart is a safe and liveable city by enhancing community wellbeing and public safety and security.
- 4.1.4 - Support the local community and businesses to foster the vibrancy of local areas to contribute to attractive and unique destinations.
- 4.2.2 - Actively support and engage with local businesses, business groups and networks, industry associations, key institutions and other stakeholders in the Hobart economy.
- 8.1.2 - Ensure the needs of the community are well represented through effective advocacy and strong collaborative partnerships with key stakeholders and all levels of government.

8.1.2. Hobart: A City for All - Community Inclusion and Equity Framework and the Community Safety Commitment details the City's approach and role and provides the framework that underpins the community safety work.

## **9. Financial Viability**

### 9.1. Funding Source and Impact on Current Year Operating Result

9.1.1. This proposal would not impact on the current year operating result. There would be a small catering cost that would be covered by the existing operational budget for community safety.

9.1.2. It is noted that initiatives and programs delivered in the community safety space are undertaken through collaborations with community safety partner organisations.

### 9.2. Impact on Future Years' Financial Result

9.2.1. Any future initiatives identified through the SHA that required an additional budget allocation would be subject to the same budget considerations as any other program or project.

### 9.3. Asset Related Implications

9.3.1. There would be no direct asset related implications resulting from this proposal.

## 10. Community Engagement and Communications

- 10.1. This proposal has been discussed with the two current networks who have indicated support for this approach.
- 10.2. The formation of the SHA would provide an additional opportunity for the City to engage and collaborate directly with businesses, building owners and business groups.
- 10.3. It is noted that there are other areas of the municipality that would not be represented with the proposed SHA as it would initially be focussed on the CBD and Salamanca area. Once the SHA is established and fully operational, there could be the potential to expand the representation to enable stakeholders from other retail precincts in the municipality to participate (e.g. North Hobart, New Town, Sandy Bay, South Hobart, etc.).
- 10.4. There is an opportunity to promote the formation of this alliance through a media event which should also include a number of presenters to outline the purpose of the group and what it hopes to achieve, given the strong business and community interest in community safety more broadly.

## 11. Collaboration

- 11.1. This proposal has involved collaboration across both the Community Programs and Economic Development Groups.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Kimbra Parker  
**MANAGER COMMUNITY PROGRAMS**



Ben Artup  
**DIRECTOR COMMUNITY AND  
ECONOMIC DEVELOPMENT**

Date: 26 March 2025  
File Reference: F24/107101

Attachment A: Safer Hobart Alliance Terms of Reference - March 2025  
(Supporting information) 

**13. Salamanca Place Amplified Music Trial**  
**File Ref: F25/15488; 16/119**

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Report of the Deputy Director Strategic and Regulatory Services and Director Strategic and Regulatory Services of 26 March 2025 and attachment.

Delegation: Council



**REPORT TITLE: SALAMANCA PLACE AMPLIFIED MUSIC TRIAL**

**REPORT PROVIDED BY:** Deputy Director Strategic and Regulatory Services  
Director Strategic and Regulatory Services

**1. Report Summary and Key Issue**

- 1.1. At the Council meeting of 29 January 2024 the Council resolved to support a live music trial at Salamanca Place. This report provides a review of that trial.
- 1.2. In summary, the trial was successful, and it is recommended that the arrangements under the trial continue in an ongoing way, but with the hours of operation being extended.

**2. Recommendation**

***That:***

1. ***The Council support the ongoing arrangements for amplified music in Salamanca Place.***
2. ***Occupation licences for Council land be amended for the 2025/26 financial year and ongoing, to allow for amplified music on Salamanca Place within the terms of the one-year trial conducted during 2024/25, including the following days of operation:***
  - (i) ***Monday to Friday: 4pm to 8pm.***
  - (ii) ***Saturday: 6pm to 8pm (taking account of the operation of Salamanca Market).***
  - (iii) ***Sunday: Midday to 8pm.***
3. ***The Council authorises the Chief Executive Officer to carry out a similar trial in other areas where it is anticipated that amplified music on Council land adjacent to private venues is likely to succeed.***

### 3. Discussion and Background

3.1. A resolution was passed at the Council meeting on 29 January 2024, as follows:

1. *That the Hobart City Council consider trialling live amplified music in the designated and existing outdoor occupation licence dining areas across Salamanca Place from midday to 8pm on Sundays for a trial period of 12 months.*
2. *That all venues participating in the trial must adhere to any noise/sound levels that are imposed as per conditions.*
3. *That the Acting CEO be provided delegated authority to consult with relevant traders, the Sullivans Cove Traders Association, the THA, Battery Point Community Association and relevant stakeholders to develop a management plan for the trial and report back to Council by February 19th, 2024.*
4. *That any required or relevant amendments to existing occupation licences form part of the council report.*
5. *That once implemented a report be provided back to Council within 12 months of implementation for consideration as per the trial outcomes.*

3.2. On 19 March 2024, the Council noted the terms of commencement of the trial, as set out in **Attachment A** to this report and as follows.

#### *Time period*

3.3. The trial ran for 12 months, commencing on 18 February 2024.

#### *Noise levels*

3.4. Rather than impose specific sound or noise levels, the City required venues to present live music in a way that did not constitute an environmental nuisance under the legislation that controls noise. This provided some flexibility to the venue operators, while ensuring that surrounding property owners, residents and visitors were not impacted unreasonably. Directions from City officers still need to be complied with, as required by the existing occupancy permits.

#### *Management plan & engagement*

3.5. Venue operators were requested to engage with each other in terms of programming to minimise the potential for scheduling clashes, particularly between adjacent venues. No concerns were raised about this process, however the one piece of feedback we received from a trader that could constitute a complaint related to competing music from a neighbouring venue, and while this feedback related to a Saturday and therefore not part of this trial, it does emphasise the importance of

venue operators engaging with each other to minimise scheduling clashes.

- 3.6. In terms of pre-trial engagement, the Tasmanian Hospitality Association was supportive of the trial. We reached out to the Sullivans Cove Traders Association and while this organisation does still exist, it no longer has any members. None of the venue operators have raised any concerns about the terms of the trial in response to our correspondence dated 16 February 2024.

#### *Occupancy licences*

- 3.7. In a formal sense, the occupancy licences will need to be updated. Informally, the trial has commenced as authorised by the correspondence dated 16 February 2024 and no venue operator will be considered to be in breach of their occupancy licence so long as they adhere to those additional conditions.

#### *Report on trial*

- 3.8. A report on the trial was required at the conclusion of the 12-month period. The measures of success of the trial have included:
- 3.8.1. a self-assessment provided by venue operators;
  - 3.8.2. any feedback from the community; and
  - 3.8.3. any complaints that are received from venue operators, surrounding properties or other members of the community.

#### *Venues*

- 3.9. The City's Manager Economic Development engaged directly with the traders on Salamanca Place who were able to participate in the trial.
- 3.10. Five of those traders provided feedback. Three of the traders said the trial has been beneficial to their business, one said they didn't participate, and one provided feedback relating to a neighbouring trader and some noise concerns, but this was not an ongoing concern.
- 3.11. One of the traders was so happy with trial they want to be able to extend it to other days, e.g. Friday.

#### *Feedback from the community*

- 3.12. No feedback has been sought from the broader community in relation to the outcomes of this trial.

### *Complaints*

- 3.13. It is understood that no complaints from the general public have been received to date.

### *Summary*

- 3.14. Overall, the music trial has been successful and there is no reason why this should not be adopted as an ongoing arrangement.
- 3.15. It is recommended that the occupation licences issued by the Council for use of Council land are amended to formally permit this arrangement.
- 3.16. In response to the suggestion that this arrangement should extend to other days by one of the traders, this is strongly supported by officers, in line with the specific provisions, and includes the following proposed days and times:
- 3.16.1. Monday to Friday: 4pm to 8pm.
- 3.16.2. Saturday: 6pm to 8pm (taking account of the operation of Salamanca Market).
- 3.16.3. Sunday: Midday to 8pm.
- 3.17. These changes would be an opportunity for the City to show its support for the live music/performing arts sector, where providing greater opportunities for paid work for artists in a professional setting is so important to their economic survival.
- 3.18. The proposal will allow local business to have greater flexibility to present an important point of difference in their offering to patrons, and so demonstrates the City's proactive support of the nighttime economy.

## **4. Legal, Risk and Legislative Considerations**

- 4.1. Use of Council land by private businesses is regulated under the *Public Spaces By-Law No. 4 of 2018* through occupation licences.

## **5. Strategic Planning and Policy Considerations**

- 5.1. The following from the Community Vision For Our Capital Island Capital and the Capital City Strategic Plan are relevant:

Pillar: 3      We are a city connected, embracing our diverse communities in cultural expression and creative and artistic participation; a city that enhances our homes, lifestyles and heritage; a city that bravely puts its people first.

8 We are a city of ethics and integrity. We govern with transparency and accountability, encouraging and welcoming active civic involvement. We collaborate for the collective good, working together to create a successful Hobart.

Outcome: 3.4: Civic and heritage spaces support creativity, resulting in a vibrant public realm.

8.1: Hobart is a city that is well governed that recognises the community as an active partner that informs decisions.

Strategy: 3.4.2: Activate public spaces and venues, to benefit the community and business sector through changes to infrastructure, public art, performances events, festivals and markets.

8.1.1: Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.

## **6. Financial and Economic Considerations**

### **6.1. Financial Considerations:**

6.1.1. Other than some officer time to update our standard terms for our occupation licences for the next financial year, there are no financial implications to adopting amplified music as an ongoing arrangement.

6.1.2. It is anticipated that this initiative will have seen economic benefits to the venues who participated, along with a general sense of the Council being supportive of new ways to support our local businesses.

## **7. Community and Business Engagement and Collaboration**

7.1. Our engagement is discussed above.

## **8. Implementation and Communications Plan**

8.1. If the Council endorses the recommendations made in this report and amplified music at Salamanca Place becomes “business as usual” then the venue operators will be advised of this outcome, along with further promotion of this arrangement on our usual updates to the community.

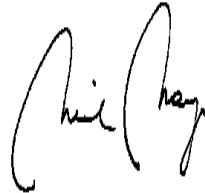
8.2. Additionally, should the recommendations be endorsed by Council, it is highly recommended a media event be organised to promote this

outcome specifically, given the high community and stakeholder interest in live music and support of venues of late.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*




Karen Abey  
**DEPUTY DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**



Neil Noye  
**DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**

Date: 26 March 2025  
File Reference: F25/15488; 16/119

Attachment A: Salamanca Place Amplified Music Trial - terms as sent to venues (Supporting information) 

**14. Development Fees for Art and Murals facing public space**  
**File Ref: F25/15666; 16/119**

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Report of the Deputy Director Strategic and Regulatory Services and Director Strategic and Regulatory Services of 26 March 2025.

Delegation: Council

**REPORT TITLE: DEVELOPMENT FEES FOR ART AND MURALS  
FACING PUBLIC SPACE****REPORT PROVIDED BY:** Deputy Director Strategic and Regulatory Services  
Director Strategic and Regulatory Services**1. Report Summary and Key Issue**

- 1.1. On 19 March 2024, the Council resolved that it would waive development application fees for public art and murals on private property that face into public space.
- 1.2. Since that date, one application which fit within that category has been made.
- 1.3. While there was only one application over the past year, it is considered that there is benefit to the community if there is further art and murals facing public spaces, and it is recommended that the waiver remain in place. The draft fees and charges are being prepared on that basis for the Council to consider for the 2025/26 year.

**2. Recommendation**

***That the Council continue to waive its Development Application fee for public art and murals on private property that face into public space.***

**3. Discussion and Background**

- 3.1. On 19 March 2024, the Council made the following resolution:
  1. *The Council waive its Development Application fee for public art and murals on private property that face into public space.*
  2. *The City develop a communications plan outlining the rules and requirements associated with public art installations, including any exemptions or requirements under the planning scheme.*
  3. *The matter be reviewed with a report to the Council in 12 months time.*
- 3.2. Following this resolution, the City's website was updated to provide information to potential applicants, with a page dedicated to this issue: <https://www.hobartcity.com.au/Development/Planning/Public-art-and-murals>
- 3.3. Given that the planning controls vary from property to property and will also depend on the type of art or mural proposed, there is no prescriptive guidance on what applicants can do. Instead, some guidance was provided and we recommend that if any member of the



public was unsure, to contact our Duty Planner who is available during business hours.

- 3.4. Since the resolution, one application has been made. The application was made for 14 Weld Street, South Hobart, to approve the following:



#### 4. Legal, Risk and Legislative Considerations

- 4.1. Planning approval may be required in order to create a mural or public art on private land. The Council's Duty Planner can provide guidance to the public on when an application is required.
- 4.2. There is limited scope within the planning scheme to control the nature of the art or mural, including any words used. It is possible that

#### 5. Strategic Planning and Policy Considerations

##### 5.1. Capital City Strategic Plan

Pillar: 2 – Community inclusion, participation and belonging.

Outcome: 2.2 Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life.

2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times of hardship.

Strategy: 2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life.

2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion.

2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

## 6. Financial and Economic Considerations

### 6.1. Financial Considerations:

- 6.1.1. While the waiver of fees necessarily has a financial implication, given the low number of applications anticipated, the impact on the Council's financial position will be minimal.
- 6.1.2. It is noted that applicants are still required to cover the advertising fee so that the Council does not have a disbursement paid without reimbursement from the applicant.

## 7. Community and Business Engagement and Collaboration

- 7.1. No engagement has been undertaken in order to prepare this report. We have updated our website so that information is presented in a clear way to people who are considering adding art or a mural to their property.

## 8. Implementation and Communications Plan

- 8.1. Currently, there is information on our website regarding public-facing art and murals so that applicants are properly informed of this initiative.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*

Karen Abey  
**DEPUTY DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**

Neil Noye  
**DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**

Date: 26 March 2025  
File Reference: F25/15666; 16/119

**15. Development Assessment Panel - Revised Draft Bill**  
**File Ref: F25/16911; 16/119**

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Report of the Deputy Director Strategic and Regulatory Services and Director Strategic and Regulatory Services of 26 March 2025 and attachments.

Delegation: Council

**REPORT TITLE: DEVELOPMENT ASSESSMENT PANEL - REVISED DRAFT BILL****REPORT PROVIDED BY:** Deputy Director Strategic and Regulatory Services  
Director Strategic and Regulatory Services**1. Report Summary and Key Issue**

- 1.1. The State Government is continuing its efforts to introduce a Development Assessment Panel.
- 1.2. There is a revised Bill open for consultation until 24 April 2025.
- 1.3. There are minimal changes to the proposed Development Assessment Panel legislative changes. It is proposed to resend our earlier submission which addresses our primary concerns in detail.

**2. Recommendation**

***That the Council endorse the submission to the Development Assessment Panel Framework Discussion Paper marked as Attachment A to this report to be resent to the current consultation.***

**3. Discussion and Background**

- 3.1. Between late 2023 and late 2024, the State Government took steps to develop a proposed Development Assessment Panel (**DAP**).
- 3.2. A draft Bill was prepared and circulated, with the opportunity to comment closing on 12 November 2024. The paper which is at **Attachment A** to this report was endorsed by Elected Members and submitted on behalf of the City of Hobart at the Council meeting on 11 November 2024.
- 3.3. 468 submissions were received in response to the public consultation. Despite this extensive feedback, only minimal changes were made to the draft Bill.
- 3.4. The Bill was then introduced into the Tasmanian Parliament on 19 November 2024, 7 days after the consultation period closed. It passed the House of Assembly but was rejected by the Legislative Council.
- 3.5. The Bill has been revised (the **revised Bill**). While there have been further changes to the revised Bill than the version which was tabled in Parliament, the key concerns regarding the categories of applications which may be referred to a DAP is still highly contentious.

- 3.6. The *Revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 Background Report for Consultation* which has been released by the State Government's State Planning Office is at **Attachment B**. A summary of the changes are at section 3.
- 3.7. While the consultation report lists 9 changes, the only changes to the categories of applications are as follows:
- 3.7.1. rather than \$5M in city councils and \$2M in other, it has been increased to \$10M in city councils and \$5M in other (noting that \$10M and \$5M were the figures used in the initial version of the draft Bill); and
- 3.7.2. the categories of applications which could be "controversial" has been removed.
- 3.8. The categorise of applications which are still of concern include:
- 3.8.1. applications which are "significant" or "important" to an area or the State;
- 3.8.2. applications where the planning authority "may" have a conflict of interest or a perceived conflict of interest; and
- 3.8.3. applications falling within any class prescribed by the Minister.
- 3.9. Given how little of the Council's response to the earlier version of the Bill which has been taken into account, it is proposed to provide it again in response to the current consultation.

#### **4. Legal, Risk and Legislative Considerations**

- 4.1. The step of submitting a response to the State Government consultation does not impact the Council's risk or legal considerations.

#### **5. Financial and Economic Considerations**

- 5.1. Financial Considerations:
- 5.1.1. The step of submitting a response to the consultation does not alter the Council's financial position.
- 5.1.2. The creation of a Development Assessment Panel is likely to have a significant impact on the Council's financial position by reducing the planning fees we receive and disrupting our workforce if the Tasmanian Planning Commission recruits a team of experienced professionals who are engaged by the Council.

## 5.2. City Economy Strategy:

5.2.1. This proposal aligns to the following strategic priorities listed in the City of Hobart City Economy Strategy 2023 – 2028:

5.2.1.1. Pillar 1 of the Capital City Strategic Plan responds to the Community Vision's desire to Hobart retaining a strong sense of place.

## 5.3. Economic Impact:

5.3.1. Not relevant

## 5.4. Consultants

5.4.1. Nil

**6. Community and Business Engagement and Collaboration**

6.1. Given this report addresses the Council's response to the consultation, it is not proposed to enter into any further engagement by the Council. The public are able to also submit their own feedback to the revised draft Bill.

**7. Implementation and Communications Plan**

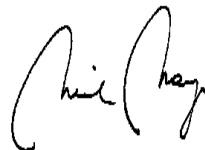
7.1. The step of submitting a response to the consultation does not require a communications plan.

7.2. It is suggested that the City's endorsed submission be uploaded to the City of Hobart's website as well as provided to the relevant Members of Parliament to inform their deliberations.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Karen Abey  
**DEPUTY DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**




Neil Noye  
**DIRECTOR STRATEGIC AND  
REGULATORY SERVICES**

Date: 26 March 2025

File Reference: F25/16911; 16/119

Attachment A: City of Hobart DAP legislation response 11 November 2024  
(Supporting information) 

Attachment B: DAP 2025 Background Report for Consultation (Supporting  
information) 

**16. Special Committee - Terms of Reference**  
**File Ref: F25/14169; 16/119**

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Report of the Director Corporate Services of 26 March 2025 and attachments.

Delegation: Council

**REPORT TITLE: SPECIAL COMMITTEE - TERMS OF REFERENCE****REPORT PROVIDED BY:** Director Corporate Services**1. Report Summary and Key Issue**

- 1.1. The purpose of this report is to seek Council endorsement of the Terms of Reference for the below committees that were deferred for consideration at the 24 February 2025 Council meeting:
  - (i) The Place and Wellbeing Special Committee; and
  - (ii) The Climate, Sustainability and Biodiversity Special Committee.
- 1.2. The Council first considered the draft Terms of Reference in December whereat it resolved to refer them for further consideration at a Council workshop, which occurred in January 2025.
- 1.3. It should be noted that the administrative process contained within these two draft documents are consistent with those of the other three Special Council Committees (City Transport, City Economy and City Heritage) previously adopted by the Council and they are marked as **Attachment A** for reference.
- 1.4. There was some discussion at the last Council meeting on this point, and the matter was deferred for further advice regarding a clause within the two committees terms of reference, relating to how conflicts of interests (spousal conflicts) were to be identified and managed.
  - (i) As per the above, the terms of reference have been further reviewed and are uniform on this point.

**2. Recommendation**

***That the Terms of Reference for the Place and Wellbeing Special Committee, (marked as Attachment B to this report) and the Climate, Sustainability and Biodiversity Special Committee (marked as Attachment C to this report), be adopted.***

**3. Discussion and Background**

- 3.1. In September 2024, the Council considered a report reviewing the City's governance (meeting) structure. The review recommended a number of changes that were subsequently approved by the Council at its meeting of 16 September 2024.
- 3.2. The Place and Wellbeing Committee was created as a result of combining the former Future Hobart and Healthy Hobart Committees.



- 3.3. The Climate, Sustainability and Biodiversity Committee was created through combining the City Water, Climate Futures and Sustainable Infrastructure Committees.
- 3.4. Initial drafts of the Terms of Reference (ToR) for these two new committees were developed through the combining of the ToR of the former committees with refinements made through consultation with relevant staff and the appointed chairpersons of each of the committees.
- 3.5. In December 2024 the Council considered the draft ToR and resolved to refer them for further consideration at a Council workshop. This occurred in January 2025.
- 3.6. The table below provides a summary of the feedback received during the workshop and the proposed action in response to the feedback.

Feedback	Response
Start time of 5.30pm is too restrictive	<p>The ToR have been amended to allow the committees to determine their own start time.</p> <p>They meet every quarter and for no more than 2 hours.</p> <p>Starting later than 5.30pm has staff resourcing and cost implications.</p>
Removal of a membership number (proposed as between 6 and 12 members)	<p>Special committees are established within the context of community engagement and are advisory in nature. Setting a minimum membership number ensures a diversity of views and experiences can be considered. This also need to be balanced with a manageable maximum number of members in a practical sense, such as meeting room size and ensuring efficient running of meetings.</p> <p>Appointed members have strong community connections and are appointed to share not only their personal views but those of their broader networks.</p> <p>Between 6 and 12 members is considered appropriate and is consistent with the City's other advisory committees.</p>

<p>Have the special committee report directly to the ordinary Council meetings rather than to the Hobart Workshop Council Committee meeting</p>	<p>The Hobart Workshop Council Committee ToR provide for consideration of lower order policy and strategic matters. As Special Committees have no decision-making delegation and are advisory in nature, officers consider this an appropriate reporting structure. It should also be noted that the while there are two types of members on the Hobart Workshop Council Committee, being 'appointment members' and 'nominee members' it is expected that all 12 elected members attend the Hobart Workshop Council Committee meetings as often as possible. It is also within the power of the Hobart Workshop Council Committee, by resolution, to refer a matter to the ordinary Council meeting for consideration.</p>
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**4. Strategic Planning and Policy Considerations**

4.1. The City's Special Committees strongly align with Capital City Strategic Plan, namely *Pillar 8: Governance and Civic Involvement*, and in particular strategy:

**5. Financial and Economic Considerations**

5.1. Financial Considerations:

	2024-25	2025-26	2026-27	2027-28
	\$'000	\$'000	\$'000	\$'000
<b>Revenue</b>				
Existing Revenue	NA			
Additional Revenue	NA			
<b>Total Revenue</b>				
<b>Expenditure</b>				
Operating	NA			
Capital	NA			
<b>Total Expenditure</b>				
<b>Net Cost</b>	<b>NA</b>			

**FTE Impact**

	2024-25	2025-26	2026-27	2027-28
Change in FTE	NA			

*Detail the change in the level of full-time equivalents within the group should the requested level of additional funding be required.*

- (i) There are no financial implications resulting from the recommendations contained within this report.
- (ii) It should be noted however, that should the Council determine that special committee meet more often or later than 5.30pm, there would be a financial impact on the operational budget in terms of staff costs to support the meetings.

## 5.2. City Economy Strategy:

- (i) Special Committees strongly align with all four strategic priorities listed in the City of Hobart City Economy Strategy 2023 – 2028:
  1. *Plan for our collective social, economic and environmental prosperity*
  2. *Attract responsible investment to unlock an inventive and inclusive economy*
  3. *Position Hobart as an enviable place to visit, live and do business*
  4. *Promote and leverage Hobart's uniqueness and celebrate the Hobart Difference*

## 5.3. Economic Impact:

- (i) There are not direct economic impacts resulting from the recommendation contained within this report.

## 5.4. Consultants

- (i) No consultants will be engaged as a result of this report. Membership on the City's Special Committee is of a voluntary nature however provides the benefit of received advice from subject matter experts.

**6. Community and Business Engagement and Collaboration**

- 6.1. The City's Special Committees are established within the context of the Community Engagement Framework and are advisory in nature.

- 6.2. The purpose of these special committees is to increase engagement with the community and benefit from the significant level of experience and knowledge that exists within the community, and through its appointed members.

## 7. Implementation and Communications Plan




- 7.1. All endorsed Committee Terms of Reference are published on the City's website.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Michael Reynolds  
**DIRECTOR CORPORATE SERVICES**

Date: 26 March 2025  
File Reference: F25/14169; 16/119

- Attachment A: Previously adopted TOR for the City Transport, City Economy and City Heritage Committees (Supporting information) 
- Attachment B: Terms of Reference for the Place and Wellbeing Special Committee (Supporting information) 
- Attachment C: Terms of Reference for the Climate, Sustainability and Biodiversity Special Committee (Supporting information) 

**17. Local Government Electoral Bill**  
**File Ref: F25/18389**

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Report of the Chief Executive Officer of 26 March 2025 and attachment.

Delegation: Council

**REPORT TITLE: LOCAL GOVERNMENT ELECTORAL BILL****REPORT PROVIDED BY:** Chief Executive Officer**1. Report Summary and Key Issue**

- 1.1. The purpose of this report is to consider the discussion paper relating to the Local Government Electoral Bill.

**2. Recommendation**

***That the Council provide a submission to the Office of Local Government on the Local Government Electoral Bill, in accordance with the comments outlined in this report.***

**3. Discussion and Background**

- 3.1. On 12 February 2025, the Tasmanian Government released its Local Government Electoral Bill Discussion Paper outlining a series of reforms to how local government elections are conducted in Tasmania.
- 3.2. This new framework is proposed to be implemented through a new standalone Local Government Electoral Bill and supporting regulations, which will be put in place ahead of the next council elections due in October 2026.
- 3.3. The discussion paper (Attachment A) is organised around five key outcomes:
- 3.3.1. a more flexible and accessible format for local government elections;
  - 3.3.2. a better voting franchise for electors and changes to eligibility to run for office;
  - 3.3.3. better quality of public information at elections;
  - 3.3.4. strengthened donations disclosure and electoral advertising requirements;
  - 3.3.5. other changes to support the integrity of elections.
- 3.4. The discussion paper explains the proposed legislative reforms the Government is seeking to progress through the Local Government Electoral Bill.
- 3.5. Council officers have considered the discussion paper and have provided some commentary around each of the reforms in the following table:

Reform Summary	Comments
<b>The future format of local government elections in Tasmania</b>	
<p><b>Scenario A: change to voting in person as the primary means of participation</b></p> <ul style="list-style-type: none"> <li>• Move to universal attendance elections with a weeklong polling period, or a polling day, including an extended pre-poll period and postal voting for persons on the supplementary electoral roll.</li> <li>• Telephone voting would be made available for electors with barriers to participation or who are interstate or overseas.</li> </ul>	<p>The Council has long supported a move to compulsory voting by attendance at the ballot box. It is recommended that the proposal to move to a polling day, including an extended pre-poll period and postal voting for persons on the supplementary electoral roll would be preferred.</p>
<p><b>Scenario B: flexible additions to the status quo (a 'hybrid' model)</b></p> <p>Provide for a 'hybrid' postal model where:</p> <ul style="list-style-type: none"> <li>• All electors are mailed a ballot and candidate information pamphlet.</li> <li>• There is a minimum four week polling period, enabling the earlier return of postal votes.</li> <li>• There are more issuing places in each municipality, to enable the hand return of ballots by electors until the close of polls.</li> <li>• Ballots may be returned to issuing places until the close of polls.</li> </ul> <p>Telephone voting would be made available for electors with barriers to participation or who are interstate or overseas.</p>	
<b>Potential new directions: who should vote in local government elections, and how should we elect the deputy mayor?</b>	
<p><b>Reforming the franchise: should non-citizens enjoy a continuing entitlement to vote at local government elections?</b></p> <ul style="list-style-type: none"> <li>• If this entitlement were to continue, it is proposed a person's ordinary place of residence must have been in Tasmania for the 12 months prior to making an application for enrolment (or otherwise must own property in Tasmania in a personal capacity).</li> <li>• This would be, in effect, a 'non-citizens'</li> </ul>	<p>It is recommended that non-citizens should continue to receive an entitlement to vote at local government elections. In most instances, this cohort of people are international students and business owners who are important to a city and as such the case for change is not really that clear.</p> <p>Equally, the requirement for this cohort of people to have been</p>

electoral category.	residing in Tasmania for the 12 months prior to making an application for enrolment lacks merit. New non-resident business owners/residents/international students should have a right to participate in elections which should not be curtailed by a short tenure.
<p><b>Reforming the entitlement to nominate as councillor</b></p> <ul style="list-style-type: none"> <li>If an entitlement for non-citizens to vote is preserved, require that a person must appear on the House of Assembly electoral roll to be eligible to hold the office of councillor, in addition to appearing on that roll or the supplementary electoral roll at an address in the municipal area.</li> </ul>	<p><b>Support.</b> This change would ensure that persons seeking nomination for office will be required to be on Tasmania's House of Assembly electoral roll, and as a result, be Australian citizens or British subjects eligible to vote in parliamentary elections.</p>
<p><b>Remove the direct election of the deputy mayor</b></p> <ul style="list-style-type: none"> <li>The councillors are to elect the deputy mayor at the first ordinary meeting of the term of the council. Otherwise, the role of deputy mayor could be removed entirely or made optional in favour of provision for acting mayors, including supplementary allowances.</li> </ul>	<p><b>Do Not Support.</b> The Council supports the maintenance of the status quo in relation to the election and role of the Deputy Mayor.</p>
<b>A more flexible and accessible format for local government elections</b>	
<p><b>Reform 1:</b> reduce prescription in the statutory framework to enable the Tasmanian Electoral Commission to approve the electoral process.</p>	<p><b>Support.</b> This reform would remove current barriers to using available assistive practices and technologies for electors with print disabilities and electors who are interstate or overseas.</p>
<p><b>Reform 2:</b> enable the Tasmanian Electoral Commission to approve procedures for voting, including by telephone and electronic means, for interstate and overseas electors and electors with impediments to ordinary participation, or for other classes of person prescribed by regulation.</p>	<p><b>Support.</b> This reform would enable the Electoral Commission to provide assistance to electors with impediments to participation or who are outside Tasmania during the polling period.</p>
<p><b>Reform 3:</b> legislate that the Tasmanian Electoral Commission is required to approve procedures in accordance with universal franchise principles, namely all electors, including electors with additional barriers to participation, are to be afforded an opportunity to vote in an independent, secret and verifiable manner.</p>	<p><b>Support.</b> This reform would enable methods of voting to include assistive technologies. For instance, voting by telephone with a human operator, or voting using internet-based systems.</p>



<p><b>Reform 4:</b> require the Electoral Commissioner to publish after each election a statement on the implementation of the accessibility principles, after information, including relevant statistics and initiatives undertaken to promote universal participation in the election.</p>	<p><b>Support.</b> This proposal is considered to balance appropriately the independence of the Commission, while providing a transparent accounting of participation at the election for electors with additional barriers to participation.</p>
<p><b>A better franchise for electors and changes to eligibility to run for office</b></p>	
<p><b>Reform 5:</b> increase the number of elector signatures required to support a notice of nomination to the lesser of 30 or one per cent of the number of electors in the municipal area.</p>	<p><b>Support.</b> This change provides an initial test of credible public support for a candidacy, while not imposing a financial barrier on candidates.</p>
<p><b>Reform 6:</b> move administration of the 'general managers' roll' from councils to the Tasmanian Electoral Commission, including administration of the process through which land occupier and corporate nominee (supplementary electoral roll) electors are to enrol.</p>	<p><b>Support.</b> The City has previously strongly supported and welcomed consistent proposals through various reviews to move the administration of the GM Roll from councils to the TEC. The Council considers it important that there is an appropriate division between the Chief Executive Officer's role and the local government election process. Moving administration of the GM Roll from councils to the TEC would improve the integrity of the democratic process by removing Chief Executive Officers / General Managers and council staff from the electoral process. It would also reduce the administrative burden on Chief Executive Officers / General Managers to maintain the accuracy and integrity of the Roll and achieve greater consistency across Tasmania.</p>
<p><b>Reform 7:</b> provide a definition for the purposes of 'occupier' of land that establishes an occupier holds a leasehold interest or licence over land, and/or the person's ordinary place of residence is in the municipal area.</p>	<p><b>Support.</b> This change would address ambiguity around the extent of association with land required to generate an entitlement to vote in local government elections in some specific instances (for instance, persons making regular use of a secondary property owned by a family member or associate).</p>
<p><b>Reform 8:</b> provide that a person seeking enrolment on the supplementary roll must complete a land occupier declaration and provide documentation of the leasehold or licence over land, or evidence of their</p>	<p><b>Support.</b> This change would enhance the existing provisions for the electoral enrolment form for the supplementary roll, establishing clear evidentiary requirements for</p>

period of residence in Tasmania to the satisfaction of the Commissioner.	enrolment.
<b>Reform 9:</b> implement the 'one person, one vote' principle and require a nominee of a corporate landowner or occupier of land may nominate one natural person who is an officeholder of the company to be its nominee.	<b>Support.</b> This change would ensure that a person may only have, in any circumstances, one vote in an election for a municipal area.
<b>Reform 10:</b> provide that all intending candidates (other than incumbent councillors) must complete a prescribed program of pre-nomination training prior to their submission of a notice of nomination.	<b>Support.</b> This change would ensure that all people contesting local government elections will have a common threshold understanding of the particular role and functions of councillors and the day-to-day functioning of councils
<b>Better quality public information at elections</b>	
<b>Reform 11:</b> require that the TEC provides all people submitting a notice of nomination the opportunity to provide a candidate information statement (in an approved format, providing prescribed information) and the Tasmanian Electoral Commission is to publish candidate information through appropriate means.	<b>Support.</b> This change would see the candidate information become part of the statutory elections framework and candidates be afforded a right to submit an information statement as part of the notice of nomination.
<b>Reform 12:</b> provide that the Director of Local Government may provide a statement to be published by the Tasmanian Electoral Commission alongside the candidate information.	<b>Do not support.</b> It is up to electors to inform themselves and make their own decision in respect to a local government election and this change would enable the Director of Local Government to influence people in disproportionate ways which could influence their vote.
<b>Reform 13:</b> Establish that nomination by a registered party is to be included in the information published by the Tasmanian Electoral Commission, and printed on the ballot paper, with the candidate's name to be printed alongside the name of the registered party.	<b>Support.</b> This reform would improve the transparency in respect to candidates nominated by a registered party.
<b>Reform 14:</b> provide for candidates whose nomination form is not lodged by a registered party to request to be identified with a group name.	<b>Support.</b> This reform would improve transparency in respect to candidate affiliations.
<b>Strengthened donations disclosure and electoral advertising requirements</b>	
<b>Reform 15:</b> corresponding to the Electoral Act Review Final Report and the amended section 197 of the <i>Electoral Act 2004</i> , introduce new prohibitions on the dissemination of misleading and deceptive statements.	<b>Do not support.</b> It is not considered feasible or desirable for the Electoral Commissioner or similar to adjudicate on the truthfulness of candidates' comments during elections to the extent that defamatory material is

	published during elections, it is noted candidates have the same recourse to civil litigation as do all members of the community.
<b>Reform 16:</b> remove the general restriction upon a person, without the consent of the candidate or intending candidate, printing, publishing or distributing any electoral advertising that contains the name, photograph or a likeness of a candidate or intending candidate at an election; other than 'how-to-vote' material intended to instruct an elector in the completion of their vote.	<b>Support.</b> The Bill will contain substantial and enhanced protections, including authorisation requirements that attribute electoral advertising to the candidate for whom benefit is intended, alongside continued limits on election expenditure. This is considered to achieve similar objectives to the repealed provision without so directly impinging on speech and expression.
<b>Reform 17:</b> clarify the definition of electoral advertising.	<b>Support.</b> Electoral advertising will be defined to include (whether paid or unpaid) unsolicited calls (including automated calls) and direct unsolicited electronic messages and direct mail, including letterboxing.
<b>Reform 18:</b> provide that only a candidate, intending candidate, or a person so nominated in the notice of nomination by a candidate, may incur electoral expenditure; and provide that expenditure by other persons to promote or procure the election of a candidate or intending candidate is an offence.	<b>Support.</b> The new Bill will require that only intending candidates, candidates and persons nominated by candidates themselves may incur expenditure which would be more effective and easier to administer and enforce.
<b>Reform 19:</b> institute authorisation requirements for electoral advertising and associated material.	<b>Support.</b> The change would require that electoral advertisements and associated material can be authorised by a candidate or intending candidate or a nominated person, identifying the candidate or intending candidate who has provided their endorsement for the advertising or material.
<b>Reform 20:</b> replace advertising expenditure limits with a general expenditure limit, with reference to the expenditure limit for Legislative Council elections under the <i>Electoral Disclosure and Funding Act 2023</i> .	<b>Support.</b> The proposed change would more flexibly (and appropriately) capture the range of campaigning activities open to candidates at contemporary elections.
<b>Reform 21:</b> require that a candidate is to report expenditure made on their behalf in their electoral expenditure return, in the same manner as personal expenditure. The present requirement to attribute, in full, to each candidate so featured the value of	<b>Support.</b> This change would attribute expenditure made on behalf of candidates (who must have authorised that expenditure) to individual candidates, to enable the effective regulation of electoral

<p>advertising featuring multiple candidates (for instance, multiple party candidates) will be retained.</p>	<p>advertising and other campaign activities using individual candidate expenditure limits.</p>
<p><b>Reform 22:</b> prohibit any person from incurring any expenditure for or on behalf of a registered party with a view to promoting or procuring the election of a candidate or intending candidate.</p>	<p><b>Support.</b> This change is meant to complement the above requirement that all electoral expenditure, including advertising, only be made by candidates or intending candidates themselves (or their nominees), which enables regulation and disclosure for individual candidates. It is considered appropriate to apply the same prohibition as stands for Legislative Council elections, given advertising (now to be general) expenditure limits are an existing feature of local government elections.</p>
<p><b>Reform 23:</b> maintain the \$50 threshold for the disclosure of gifts and benefits and extend this requirement from incumbent councillors to all candidates, who will be required to lodge two candidate donation returns with the Tasmanian Electoral Commission. The new Bill will also require the publication of initial donations disclosures on the Commission's website during the polling period and until the certificate of election.</p>	<p><b>Support.</b></p>
<p><b>Reform 24:</b> provide that it is an offence for a person other than a candidate or intending candidate to accept a gift or benefit for the purpose of promoting or procuring the election of a candidate, or for the dominant purpose of influencing the way electors vote in an election; and that it is an offence to make a gift or donation to a person other than a candidate or intending candidate for this purpose.</p>	<p><b>Support.</b> This change is intended to prohibit donations made to intermediaries which could otherwise obfuscate the origins and purpose of gifts or benefits intended to promote or procure the election of a candidate or influence the outcomes of elections.</p>
<p><b>Reform 25:</b> provide that it is an offence for a councillor, intending candidate or candidate, at any time, to accept a donation for the purpose of promoting or procuring the election of a candidate or intending candidate at a local government election:</p> <ul style="list-style-type: none"> <li>• over \$50, including services or goods valued in kind, without recording the basic details of that donor</li> <li>• over \$50 in cash</li> <li>• over \$50 from a foreign donor.</li> </ul>	<p><b>Support.</b> The provision of information collection requirements is intended to support the submission of complete donations disclosure by candidates at the time of nomination and following the certificate of elections.</p>

Other changes to support the integrity of elections	
<p><b>Reform 26:</b> provide that a local government election or by-election may not be held such that the polling period overlaps the date of a Tasmanian or Australian Government parliamentary election.</p>	<p><b>Support.</b> As the timing of local government elections is fixed in legislation, with their closing on the last Tuesday in October (absent an order of the Governor) these elections coinciding is not likely, other than for a Legislative Council by-election. However, the making of an express provision removes any need for the Minister for Local Government to seek an order to this effect, as the impact on the community and the Tasmanian Electoral Commission of simultaneous elections (the latter in the case of a state election) is foreseeably unmanageable and would discourage participation and engagement at council elections.</p>
<p><b>Reform 27:</b> provide the Tasmanian Electoral Commission with powers of investigation.</p>	<p><b>Do not support.</b> There are other existing jurisdictions (i.e. Integrity Commission) established to investigate these types of matters, so it seems like a duplication to provide the Electoral Commission with powers of investigation.</p>
<p><b>Reform 28:</b> alignment of electoral offences and sanctions with the Electoral Act.</p>	<p><b>Support.</b> As per the above.</p>
<p><b>Reform 29:</b> provide a statutory caretaker framework, applying from the notice of election to the date of the issue of the certificate of election for all elections other than by-elections and countbacks.</p>	<p><b>Support.</b> The Council already enacted caretaker provisions on a voluntary basis at the last election.</p>
<p><b>Reform 30:</b> provide that during the caretaker period, prohibit a council from making any major policy or financial decisions, namely decisions:</p> <ul style="list-style-type: none"> <li>• relating to the appointment, reappointment, remuneration or termination of a general manager, other than a decision in respect of the appointment of an acting general manager under section 61B</li> <li>• committing the council to expenditure greater than one per cent of general and service rating and fees and charges revenue raised in the preceding financial year, or \$100,000, whichever is the larger</li> </ul>	<p><b>Support.</b> As per the above comment.</p>

<ul style="list-style-type: none"> <li>• directing council resources in a manner intended, or likely to, influence voting at the election</li> <li>• relating to a matter the council considers it could reasonably defer until after the election period, other than: <ul style="list-style-type: none"> <li>▪ decisions relating to a matter the council is required to determine in that period under statute</li> </ul> </li> </ul> <p>decisions of a routine and operational nature.</p>	
<p><b>Reform 31:</b> provide that during the caretaker period, it is an offence for a council to:</p> <ul style="list-style-type: none"> <li>• publish any material in any format which promotes any candidate or group of candidates for election, or otherwise seeks to influence voters in the election</li> <li>• publish material in relation to the election other than information to promote participation in the election and in relation to election process, or other material of a kind published by the Electoral Commissioner</li> <li>• make resources available to the advantage of any candidate, which are not equally available to all candidates for election.</li> </ul>	<p><b>Support.</b></p>
<p><b>Reform 32:</b> provide that major policy or financial decisions of a council during the caretaker period are of no effect and provide that persons who incur loss or damage due to an ineffectual decision of a council, who acted in good faith, are entitled to recover compensation from the council.</p>	<p><b>Do not Support.</b> This provision is a step too far. Council compliance with the caretaker provisions would be assured by the reform 31 and the creation of a legislated ability for a party to recover compensation from the council under the <i>Local Government Act 1993</i>, is manifestly excessive.</p>
<p><b>Reform 33:</b> increase the proportion of electors signing a petition required to compel a council to hold an elector poll to 20 per cent; while restricting the matters about which an elector poll may be held to matters with a legitimate connection to the</p>	<p><b>Support.</b> Elector polls are expensive, especially when held out of cycle with local government elections and are a non-binding process. Accordingly, it is considered that the current threshold is currently too small and</p>

exercise of a council's functions or powers or to the incorporation of the council, as determined by the council.	can trigger elector polls too easily. A higher threshold would ensure that a poll is called for matters which impacts a substantial proportion of ratepayers.
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#### **4. Legal, Risk and Legislative Considerations**

- 4.1. To support the implementation of the Priority Reform Program, it is proposed that amendments will be made to the *Local Government Act 1993*, the *Local Government General Regulations 2015* and *Local Government (Meeting Procedures) Regulations 2015* will be re-made and a new Local Government Elections Bill will be developed.

#### **5. Strategic Planning and Policy Considerations**

- 5.1. The proposed changes, as outlined in the discussion paper, would enable the Council to meet the following strategy in the Capital City Strategic Plan:

*Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.*

#### **6. Financial and Economic Considerations**

- 6.1. Financial Considerations:

6.1.1. None arise from the writing of this report.

#### **7. Community and Business Engagement and Collaboration**

- 7.1. The Local Government Electoral Bill discussion paper is currently the subject of community and stakeholder consultation.

#### **8. Implementation and Communications Plan**


- 8.1. The Local Government Electoral Bill discussion paper is currently the subject of community and stakeholder consultation.
- 8.2. This period of consultation concludes on 4 April 2025 following which, the Government will consider consultation feedback in developing draft legislation, which it will release for further consultation and comment in winter 2025. The Government is targeting the spring 2025 session to introduce a Bill into the Parliament.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Michael Stretton  
**CHIEF EXECUTIVE OFFICER**

Date: 26 March 2025  
File Reference: F25/18389

Attachment A: Discussion Paper - Local Government Electoral Bill (Supporting information) 



**18. Remaking of Local Government Regulations**  
**File Ref: F25/18391**

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Report of the Chief Executive Officer of 26 March 2025 and attachment.

Delegation: Council

**REPORT TITLE:                   REMAKING OF LOCAL GOVERNMENT  
REGULATIONS****REPORT PROVIDED BY:** Chief Executive Officer**1.     Report Summary and Key Issue**

- 1.1.   The purpose of this report is to consider the discussion paper relating to remaking local government regulations.

**2.     Recommendation**

***That the Council provide a submission to the Office of Local Government on the remaking of the Local Government (General) Regulations 2015 and the Local Government (Meeting Procedures) Regulations 2015 in accordance with the comments outlined in this report.***

**3.     Discussion and Background**

- 3.1.   The Tasmanian Government has commenced a public consultation process to gather feedback on the proposed legislative changes to the *Local Government (General) Regulations 2015* and the *Local Government (Meeting Procedures) Regulations 2015*.
- 3.2.   The current Local Government Meeting Procedures and General Regulations are due to expire in June 2025 and so need to be remade.
- 3.3.   The process of remaking the Regulations provides an opportunity for the Government to review them and seek feedback from councils, the community and other stakeholders to ensure the Regulations remain up to date and relevant.
- 3.4.   A discussion paper: remaking local government regulations has been released by the Government (Attachment A), which outlines the proposed reforms and poses a series of questions aimed at improving transparency, accountability, inclusivity and fairness in councils. These include:
- 3.4.1.   enhancing **transparency**, such as requiring ordinary council meetings be recorded and by updating requirements for disclosure of councillor interests.
- 3.4.2.   promoting **accountability**, such as through updated reporting requirements.

- 3.4.3. encouraging **inclusivity**, such as by allowing councillors to attend meetings virtually or remotely where appropriate and improving community access to recorded meetings.
- 3.4.4. ensuring **fairness**, such as updating council categories that determine councillor allowances and ensuring consistency of approach to councillor leave arrangements.
- 3.5. Council officers have considered the discussion paper and have provided some commentary around each of the reforms and questions in the following table:

<b>Reform Summary</b>	<b>Comment</b>
<b>Improve public access to council meetings</b>	
<p><i>Regulation 43 – Audio recording of meetings</i></p> <ul style="list-style-type: none"> <li>• Currently the use of audio recordings for council meetings is optional. A change to this regulation proposes council meetings must be electronically recorded using either audio or audio-visual devices.</li> </ul> <p>To support this change there will be other new regulations including:</p> <ul style="list-style-type: none"> <li>• the chairperson will tell attendees at the start of the meeting that it is being recorded</li> <li>• recordings will be publicly available for 12 months</li> <li>• enabling recordings to be edited before they are published. This will enable councils to remove defamatory or offensive material</li> <li>• protections for a council if it has technical difficulties and cannot record</li> <li>• a transition period for councils to enable them to record</li> </ul>	<p><b>Support.</b> The Council currently live streams and records its Council and Planning Authority meetings and therefore, would already comply with this provision.</p> <p>It is important that the legislation makes allowances for technical problems, which will occur infrequently from time to time to prevent a council from recording a meeting.</p>

<p><b>Question</b> How can any possible operational or logistical matters be managed in relation to the recording of council meetings</p>	<p>There is a technological continuum from live streaming/recording of meetings down to simply recording and publishing a recording of a council meeting.</p> <p>If the minimum requirement is for a council to record and then publish the recording of a council meeting, then all councils will be able to provide the necessary technology to comply. It would be more difficult if the minimum level was live streaming/recording as this does require a more sophisticated (and more expensive) suite of technology.</p>
<p><b>Question</b> How long do you think councils should keep recordings of meetings and how long should they be published on council website?</p>	<p>It is suggested that recordings should simply be maintained on the website for as long as the minutes themselves are published. Why does there need to be a limit?</p>
<p><b>Changes to what is included in meeting minutes</b> <i>Regulation 39 - Minutes</i> In addition to current requirements, meeting minutes will need to include:</p> <ul style="list-style-type: none"> <li>• the name of councillors attending meetings remotely</li> <li>• any questions asked without notice by a councillor and a summary of any answer given</li> <li>• declarations of interest are to record the: <ul style="list-style-type: none"> <li>○ name of the councillor</li> <li>○ nature of the interest</li> <li>○ the period in which the councillor left and returned to the meeting.</li> </ul> </li> </ul> <p>A change to the regulations will also allow councils to withhold questions from the agendas and minutes if they are defamatory, offensive or unlawful</p>	<p><b>Support.</b> The proposed changes make sense and the ability to allow councils to withhold questions from the agendas and minutes if they are defamatory, offensive or unlawful provides an added layer of protection for councils.</p>
<p><b>Question</b> Do you have any concerns about the proposed changes to minutes?</p>	<p>No.</p>

<p><b>Allow councillors to attend meetings remotely</b></p> <ul style="list-style-type: none"> <li>• The Meeting Regulations will be amended to enable councils to meet remotely in limited circumstances, such as a natural disaster or public health emergency.</li> <li>• It is also proposed the chairperson of council can authorise individual councillors to attend meetings remotely due to limited circumstances including <ul style="list-style-type: none"> <li>○ ill health or incapacity</li> <li>○ caregiving responsibilities</li> <li>○ localised natural disasters or emergencies</li> </ul> </li> </ul> <p>It is proposed councillors cannot utilise remote meeting provisions to attend more than one-third of meetings each year. This amendment will help to maintain current expectations around engagement with the council while still allowing some flexibility</p>	<p>In respect to the proposal to allow Elected Members to attend meetings remotely the following comments are offered:</p> <ul style="list-style-type: none"> <li>• The change to enable elected members to participate in council and committee meetings remotely should be included in the current reform process.</li> <li>• The range of circumstances are reasonable, however, work commitments should also be added. For instance, if an Elected Member is at a conference they should not be excluded from participating at a meeting should they chose to do so.</li> <li>• The one-third limit is reasonable.</li> </ul>
<p><b>Question</b> Do you agree with the limited circumstances in which a councillor can attend a meeting remotely?</p>	<p>Refer above.</p>
<p><b>Question</b> Do you believe the circumstances in which remote attendance may be refused are sufficient?</p>	<p>Refer above.</p>
<p><b>Question</b> Do you think there needs to be a restriction or cap on the number of meetings a councillor can attend remotely each year, and if so, what should this be?</p>	<p>Refer above.</p>
<p><b>Parental leave for councillors</b> <i>Regulation 51 – Parental leave</i></p> <ul style="list-style-type: none"> <li>• An additional provision to the regulations would allow councillors a <i>right</i> to take extended parental leave for up to six months. This includes for birth or adoption of a child as well as adopting or becoming a guardian. This leave would not require approval by the council</li> </ul>	<p><b>Support.</b> The proposed parental leave additions for Elected Members are consistent with contemporary best practice for organisations.</p>
<p><b>Question</b> Do you agree with the circumstances in which a councillor can have parental leave? Is there anything that should be removed or added?</p>	<p>Refer above.</p>

<p><b>Consistent rules and procedures for questions, motions and minutes</b></p> <ul style="list-style-type: none"> <li>• Questions from both councillors and the public should be straightforward, concise and directly relevant to council activities.</li> <li>• Questions should focus on asking for information, not making statements, and should include minimal background details.</li> <li>• When and why questions and motions can be refused. For example, they should not be defamatory, unlawful or offensive and must relate to the activities or functions of the council.</li> <li>• Who makes the decision to refuse a question or motion and when. For example, the general manager, in consultation with the mayor, can decide if a question on notice is to be refused before a meeting. The chairperson will decide if a question or motion is to be refused at a meeting.</li> <li>• What needs to be recorded in the agenda and minutes if a question is refused because it is offensive, unlawful, defamatory, excessively personal or does not relate to council activities. In such cases, it is proposed the person's name, the date the question was received and the reason for refusal is recorded rather than printing the original question.</li> </ul>	<p><b>Support.</b> The proposed changes will provide greater clarity and consistency for dealing with questions, motions and minutes.</p> <p>The changes strengthen the existing provisions relating to offensive, unlawful and/or defamatory matters, however, they provide additional controls relating to questions and/or motions being either excessively personal or not related to council activities, would add further protections for councils.</p>
<p><b>Question</b> Do you think the suggested changes will provide clarity for people attending council meetings and asking questions?</p>	<p>Not really. People generally are not well versed in meeting procedures when they attend council meetings and as such, they rely upon guidance from the Chair.</p>
<p><b>Question</b> Do you think the changes will help the chairperson manage questions and Motions in meetings</p>	<p>Yes, this change would provide the Chair to manage questions during a meeting.</p>
<p><b>Mandate the reporting of councillor training</b></p>	
<p>Councils must include in their annual reports details of core learning activities undertaken by each councillor. This will be documented in councils' annual reports.</p>	<p><b>Support.</b> The amendment would provide for greater transparency.</p>

<p><b>Question</b> Are there other learning and development activities that should also be recorded publicly?</p>	<p>It is considered that the focus should be on the core learning activities as determined by the Director of Local Government.</p>
<b>Updated councillor allowances</b>	
<p>Australia's superannuation guarantee is currently sitting at 11.5% and will increase to 12% in July 2025.</p> <p>Therefore, councillor allowances as proposed in the draft General Regulations have been adjusted to incorporate the equivalent of a 12% superannuation compensation component.</p> <p>To ensure councillor allowances are fair and equitable in all respects however, the Government has also committed to a comprehensive review of councillor allowances and councillor numbers at a future date.</p>	<p><b>Support.</b> The allowances paid to Tasmanian elected members are not sufficient to reflect the level of work and commitment that must be committed to the role. Accordingly, the increase to reflect the superannuation guarantee is reasonable.</p> <p>The proposed comprehensive review of councillor allowances should be fast-tracked.</p>
<p><b>Question</b> Do you have any comments about the updated councillor allowance?</p>	<p>Refer above.</p>
<b>337 Certificate questions</b>	
<p>New questions are proposed for a 337 Certificate relating to weed management and land that is subject to the major projects provisions of the Land Use Planning and Approvals Act 1993</p>	<p><b>Support.</b> 337 Certificates need to be updated to reflect legislative changes which warrant being brought to the attention of land purchasers.</p>
<p><b>Questions</b> Are questions 56 and 57 on weed management necessary or appropriate? Why?</p>	<p>Yes. It's important that landowners are aware if a property is impacted by a declared weed(s).</p>
<p>Is the set of questions (no. 21) on land subject to Major Projects necessary or appropriate? Why?</p>	<p>Yes. Major Projects is a relatively new legislative provision and it's important that any prospective purchaser is aware of a Major Project being proposed on any subject land.</p>
<p>There are now a number of 337 questions, which in turn create a burden for councils. Could questions be simplified or would this lead to information not being provided?</p>	<p>Yes. The 337 Certificate should be subjected to a regular review by suitably qualified professionals to ensure that it is as efficient and effective as it can be.</p>

#### 4. Legal, Risk and Legislative Considerations

- 4.1. To support the implementation of the Priority Reform Program, it is proposed that amendments will be made to the *Local Government Act*

1993, the *Local Government General Regulations 2015* and *Local Government (Meeting Procedures) Regulations 2015*.

## 5. Strategic Planning and Policy Considerations

- 5.1. The proposed changes, as outlined in the discussion paper would enable the Council to meet the following strategy in the Capital City Strategic Plan:

*Build community trust through the implementation of effective civic leadership, ethical conduct and responsible governance processes that ensure accountability, transparency and compliance with all legislated and statutory requirements.*

## 6. Financial and Economic Considerations

- 6.1. Financial Considerations:

6.1.1. None arise from the writing of this report.

## 7. Community and Business Engagement and Collaboration

- 7.1. The discussion paper is currently the subject of community and stakeholder consultation.

## 8. Implementation and Communications Plan


- 8.1. The discussion paper is currently the subject of community and stakeholder consultation.
- 8.2. This period of consultation concludes on 1 April 2025 following which, the Government will consider consultation feedback in developing draft legislation. The remade regulations will then be finalised for approval by the Minister for Local Government, ready to commence in June 2025.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Michael Stretton  
**CHIEF EXECUTIVE OFFICER**

Date: 26 March 2025  
File Reference: F25/18391

Attachment A: Discussion Paper: Remaking of Local Government Regulations  
(Supporting information) 



**19. Elected Member Legal Costs**  
**File Ref: F25/16286**

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Report of the Manager Legal and Corporate Governance, Director Corporate Services and Chief Executive Officer of 26 March 2025 and attachment.

Delegation: Council

**REPORT TITLE: ELECTED MEMBER LEGAL COSTS**

**REPORT PROVIDED BY:** Manager Legal and Corporate Governance  
Director Corporate Services  
Chief Executive Officer

**1. Report Summary and Key Issue**

- 1.1. Following the recent 'McCullagh' decision handed down by the Supreme Court of Tasmania the state's local government sector has been working through a process to understand the rationale of the Court's decision and the associated implications for Councils.
- 1.2. The implications of the decision impact on both the provision of 'in-kind' and financial support a council may give to an elected member or officer, when they are acting in a personal capacity, in addition to the Code of Conduct framework, reimbursement for legal advice, or coverage under the relevant insurance policy.
- 1.3. McCullagh is expressly clear, in the context of the tort of defamation, and the Defamation Act 2005 (Tas,) that elected members, and staff, have no legal basis to expect public funds to be used for the purpose of initiating a defamation action. It also makes clear that councils are not 'litigation funders' and that doing so is unlawful.
- 1.4. The reasoning for the Court adopting this position is that defamation is at its core a personal tort where the aggrieved party (as an individual) can be awarded compensation/damages, or the defendant can be ordered to make a personal apology.
- 1.5. It logically flows that the McCullagh decision can be viewed as covering the field for personal/private matters that may be actionable under tort, or a related statute. However, the case doesn't 'cover the field' on all matters of this nature and should be viewed as confined to a determination on the facts of the case, but highly persuasive when considering similar matters. Torts have their origins as civil claims an individual can bring against another individual, or in some cases a corporation. Examples include trespass, nuisance and negligence.
- 1.6. McCullagh can also be viewed as authority for the proposition that public funds, and resources, cannot be used to support a councillor, or employee, to defend a complaint or legal matter that is at its heart of a personal nature. Even if that matter has its 'genesis' on account of the individual's role with the council. It is this part of the Court's ruling that has required the most careful consideration.
- 1.7. As with all legal precedents there are exceptions to the general rules. One such example, under the right set of circumstances, could be where a mayor or elected member has been delegated to act as 'spokesman,' within the definition of section 27 of the *Local Government Act 1993*. Under this scenario a councillor has been authorised under

the Act to carry out a specific statutory function, namely, to publicly communicate the agreed position of the council.

- 1.8. It logically flows that the councillor is not acting in an individual capacity as they are fulfilling a specific statutory function under a relevant delegation from Council. It is noted that councils owe both staff and councillors a legal duty, on a series of matters, when they are carrying out their roles and functions. Under this narrow set of circumstance, it may be open to council to provide support under the relevant policy framework, but decisions would be on a case-by-case basis and informed by legal advice.
- 1.9. To better understand these issues the Local Government Association of Tasmania (LGAT) engaged Michael O'Farrell SC to provide advice on 'McCullagh' in relation to elected member legal expenses, associated insurance coverage and the Code of Conduct process.
- 1.10. LGAT's view was also sought on the advice and associated recommendations of this report, they were supportive of the City's view.
- 1.11. The external advice provided by Mr O'Farrell SC demonstrates that elements of Council's existing 'Elected Member Development & Support Policy' requires amendment and a recommended revised Policy is provided for Council determination. The necessary changes are summarised as follows:
  - 1.11.1. a council is not lawfully permitted to make a policy to provide for the reimbursement of legal expenses incurred by councillors defending code of conduct complaints (including complaints commenced by fellow councillors). The costs are to be borne by the councillor;
  - 1.11.2. The Council must bear the liability and cost involved in a legal action where an Elected Member who exercises a power or performs a function under the *Local Government Act 1993* or another Act (or purports to do so) in good faith; and
  - 1.11.3. The Council should not provide payment of legal fees for advice, or proceedings which an Elected Member may personally take against another person (ie defamation).

## **2. Recommendation**

***That:***

- 1. Council rescinds the existing Section Q of the Elected Member Development & Support Policy; and***
- 2. Council inserts the amended Section Q, marked as Attachment A to this report.***

### 3. Discussion and Background

- 3.1. This report represents the conclusion of a sector-wide process to understand the implications of the 'McCullagh' decision and what those implications have on Council's existing reimbursement policy for elected members.
- 3.2. There is now a uniform legal view as to the implications of the Court's decision, which by default has determined that parts of the existing Section Q of Council's relevant Council policy are invalid.
- 3.3. Given the above matters Council is required to amend the offending provisions of the Policy. The revised section Q is attached to this report as Attachment A.
- 3.4. Should Elected Members resolve to either not amend the Policy or proceed with further amendments, which may be contrary to the legal advice, they will be unable to rely upon any defective Policy provision to be invoked to provide them support as doing so would be unlawful.

### 4. Legal, Risk and Legislative Considerations

- 4.1. The proposed amendments to the Elected Member Development & Support Policy are administrative in nature. As detailed elsewhere in the report, elements of the existing Section Q, particularly as it pertains to Code of Conduct expenses are *ultra vires*.
- 4.2. Council has never had a lawful justification to reimburse, or otherwise support a councillor in the context of the Code of Conduct framework, nor in relation to expenses related to personal matters that are unconnected to, or tenuously linked to the statutory roles and functions they are required to undertake.
- 4.3. The previous policy settings were implemented in good faith on an understanding of the law of the land prior to the McCullagh decision, with Elected Members and Officers rightfully acting in reliance of the Policy.
- 4.4. Such circumstances, while unusual, potentially fall within section 341 of the Local Government Act where a councillor is immune from personal liability if they have acted in good faith.
- 4.5. Council has no head of power that allows it to ignore either the relevant provisions of the Local Government Act, nor the rulings of the Supreme Court of Tasmania.
- 4.6. The proposed amendments are the product of a series of legal advice (which should be taken as advice within the definition of section 65 of the Local Government Act).

- 4.7. Given the existence of a potential pecuniary conflict and that the amendments are the product of multiple legal advice it would be unwise for councillors to propose to amend the attached revised ‘Section Q.’
- 4.8. Considering the above matters the CEO was advised it was open for him to amend the Policy to reflect the legal advice, without the need for a decision of the Council.

**5. Strategic Planning and Policy Considerations**

- 5.1. Council is required to have a robust policy suite reflective of the relevant legislative provisions for the local government sector. Amending the defective components of the Policy will ensure this remains the case.

**6. Financial and Economic Considerations**

6.1. Financial Considerations:

There is no cost implication associated with the updating of the Policy. There will be cost savings in terms of excess payments (for invoking Council’s Directors and Officers Insurance Policy, in addition to the making of reimbursements from Council’s consolidated revenue. These savings cannot be further quantified. There will be no impact on FTE costs, or the need for additional resourcing.

	2024-25	2025-26	2026-27	2027-28
	\$'000	\$'000	\$'000	\$'000
<b>Revenue</b>				
Existing Revenue				
Additional Revenue				
<b>Total Revenue</b>				
<b>Expenditure</b>				
Operating				
Capital				
<b>Total Expenditure</b>				
<b>Net Cost</b>				

**FTE Impact**

	2024-25	2025-26	2026-27	2027-28
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Change in FTE

*Detail the change in the level of full-time equivalents within the group should the requested level of additional funding be required.*

6.2. City Economy Strategy:

6.2.1. N/A

6.3. Economic Impact:

- 6.3.1. It is expected that the associated changes to the Policy will see downward pressure on expenses associated with supporting councillors in relation to private legal matters and Code of Conduct complaints.
- 6.3.2. It is noted the Council has incurred expense in the past on account of either the associated insurance excess, or for the reimbursement of expenses from consolidated revenue. It is the City's view that those expenses were incurred in good faith with a genuinely held belief, by staff, councillors and the City's insurance broker, that they were lawful and appropriate.
- 6.3.3. The City has not composed a list of the expenses referred to under 6.3.2 as they straddle multiple terms of the council. It is also not proposed to seek reimbursement, or cost recovery, from those who were afforded support under the previous iteration of Section Q.

#### 6.4. Consultants

- 6.4.1. The advice from Michael O'Farrell SC was procured via the Local Government Association of Tasmania.

### 7. Implementation and Communications Plan

- 7.1. N/A It is proposed to amend the Policy and to then place the updated version on Council's website and the Hub.

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Wes Young  
**MANAGER LEGAL AND CORPORATE  
GOVERNANCE**




Michael Reynolds  
**DIRECTOR CORPORATE SERVICES**



Michael Stretton  
**CHIEF EXECUTIVE OFFICER**

Date: 26 March 2025  
File Reference: F25/16286

Attachment A: Proposed Section Q - Elected Members Development and Support Policy (Supporting information) 

**20. Local Government Association of Tasmania -  
Motions for the April General Meeting  
File Ref: F25/19957**

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Report of the Manager Legal and Corporate Governance, Director Corporate Services and Chief Executive Officer of 26 March 2025 and attachments.

Delegation: Council



City of **HOBART**

## MEMORANDUM: COUNCIL

### Local Government Association of Tasmania - Motions for the April General Meeting

The Local Government Association of Tasmania's (LGAT) General Meeting, to be held on Wednesday, 2 April 2025, is set to consider seven motions which have been raised by councils for consideration at the meeting. The Council will need to resolve its position in respect of each of these motions to allow delegates to vote accordingly.

A suggested position and supporting comments can be found at Attachment A.

Background information and full details of each motion can be found at Attachment B.

#### 1. **Motion on Oil and Gas Development in Tasmania – Waratah - Wynyard Council**

The Waratah – Wynyard Council has submitted a motion seeking:

1. "That LGAT establish a Position Statement on offshore oil and gas exploration and development in Tasmanian and Commonwealth waters off Tasmania consistent with the goals of the Paris Agreement and latest and best available science.
2. That LGAT advocate to Tasmanian State and Federal Government to not approve any new offshore oil and gas exploration and development in Tasmanian and Commonwealth waters.

(\*With this motion, please note that should members be supportive of the intent of the motion, LGAT will be seeking that it be amended to remove part 1 of the motion to "establish a Position Statement on offshore oil and gas exploration". Part one of the motion would involve a significant body of technical work that largely sits outside of LGATs area of expertise. Further local (or state) government has no role in regulating offshore oil and gas operations and as such LGAT developing a position statement would be of little to no effect)."

It is recommended Council resolve for its delegates to abstain from this motion.



## 2. Motion on Public Open Space Contributions – Brighton Council

The Brighton Council has submitted a motion seeking:

*“That LGAT lobbies the Minister for Housing, Planning and Consumer Affairs and the State Planning Office to work with Councils to introduce an Open Space Policy that includes contribution requirements for all forms of subdivision including strata developments.”*

It is recommended Council resolve for its delegates to vote in favour of this motion.

## 3. Development Assessment Panels (DAP) – Local Government Association of Tasmania

The Local Government Association of Tasmanian (LGAT) has submitted a motion seeking:

*Broadly there are three options available to the sector at a headline level:*

- 1. Reject the Bill outright again. I think this approach has some risks, as much of our strength last time was the narrative used to support the Bill, poor consultation and lack of listening by the Government. They can reasonable argue they have improved, albeit it marginally, across each of these areas this time round.*
- 2. Major amendments – we seek a series of fairly significant changes, based on the position (outlined further below) the sector endorses at the General Meeting. Should these changes not be accepted by the Government in finalising the Bill then we ask the Leg Co to send the Bill to Committee to work through the changes.*
- 3. Minor amendments - Support the Bill with minor modifications through our typical submission process.*

***At the General Meeting we will first determine which of these three options is preferred.***

*If the sector is of the view that major amendments is preferred option, then the following will be considered.*

*Limit call in criteria to:*

- a. Council as applicant.*
- b. Council as applicant and Homes Tas / social housing only.*
- c. Council as applicant, Homes Tas / social housing, AND other housing (only) over a threshold (either \$5M:\$2M or \$10M:\$5M)*
- d. Council as applicant, Homes Tas / social housing, AND tightly define other developments (\$10M:\$5M) BUT remove significant and planning authority conflict of interest criteria. Retain PA does not have technical expertise.*

It is recommended Council resolve for its delegates to vote in favour of option 1, to reject the Bill; and support criteria (c) if the major amendments (option 2) prevails.

### **RECOMMENDATION**

***That the Council resolve to instruct its delegates to:***

- (i) abstain from voting on the motion on Offshore Oil and Gas Development in Tasmania tabled by Waratah – Wynyard Council contained in Attachment B;***
- (ii) vote in favour of the motion on Public Open Space Contributions tabled by the Brighton Council contained in Attachment B; and***
- (iii) vote in favour of option 1, to reject the Bill; and support criteria (c) if the major amendments (option 2) prevails on the Development Assessment Panels tabled by Local Government Association of Tasmania contained in Attachment B.***

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Wes Young  
**MANAGER LEGAL AND CORPORATE  
GOVERNANCE**




Michael Reynolds  
**DIRECTOR CORPORATE SERVICES**



Michael Stretton  
**CHIEF EXECUTIVE OFFICER**

Date: 26 March 2025  
File Reference: F25/19957

Attachment A: LGAT Motions - Suggested Council Position and Supporting Comments (Supporting information) 

Attachment B: LGAT Motions - April General Meeting (Supporting information) 

**21. Lease Arrangements - 22 Creek Road, Lenah Valley**  
**File Ref: F25/18973**

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Report of the Manager Community Programs and Director Community and Economic Development of 20 March 2025.

Delegation: Council



City of **HOBART**

**MEMORANDUM: COUNCIL**

**Lease Arrangements - 22 Creek Road, Lenah Valley**

At its meeting of 29 April 2024 the Council resolved, inter alia, with regard to the leasing of the City owned facility at 22 Creek Road, Lenah Valley to Stepping Stones Children's Services:

**“The annual rental be \$40,000 per annum (GST exclusive), with an annual adjustment for CPI.”**

Since this time, at the Planning Authority Committee meeting on 5 February 2025, approval was granted to Stepping Stones for partial demolitions, alterations and partial change of use to education and occasional care at 22 Creek Road.

Through the development of the lease document it was noted that the rental amount offered by Stepping Stones when submitting their expression of interest was \$40,000 GST inclusive rather than \$40,000 GST exclusive amount that was approved by the Council.

Subsequently discussion have been held with Stepping Stone Children's Services who have advised that they wish to proceed with the rental offer of \$40,000 GST inclusive noting that they are investing considerable funds into improvements to the facility to meet licencing requirements. These improvements include replacement of glass and upgrading of the toilet facilities.

Apart from the GST component of the lease amount, there are no other proposed changes to the lease arrangements. It is noted that even with the reduction of income due to the GST change, the lease amount offered by Stepping Stones as part of the EOI process was considerably higher than any other applicant with all other applications offering the market rental of \$31,650 (GST exclusive) or less.

**RECOMMENDATION**

**That:**

- 1. The Council resolve by absolute majority to overturn its decision of 29 April 2024, being:**

**“The annual rental be \$40,000 per annum (GST exclusive), with an annual adjustment for CPI.”**

**2. The Council resolve:**

***“The annual rental be \$40,000 per annum (GST inclusive), with an annual adjustment for CPI.”***

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Kimbra Parker  
**MANAGER COMMUNITY PROGRAMS**



Ben Artup  
**DIRECTOR COMMUNITY AND  
ECONOMIC DEVELOPMENT**

Date: 20 March 2025  
File Reference: F25/18973

**22. Public Meeting Response to Collins Street Bicycle Lanes**  
**File Ref: F25/21787**

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Report of the Manager Legal and Corporate Governance, Director Corporate Services and Chief Executive Officer of 26 March 2025 and attachments.

Delegation: Council

**REPORT TITLE: PUBLIC MEETING RESPONSE TO COLLINS STREET BICYCLE LANES****REPORT PROVIDED BY:** Manager Legal and Corporate Governance  
Director Corporate Services  
Chief Executive Officer**1. Report Summary and Key Issue**

- 1.1. This report provides a summary of submissions received, along with any decisions made at the Public Meeting held on the evening of 25 March 2025 in relation to the Collins Street Tactical Cycleway Trial.
  - 1.1.1. Section 60A(5) provides for the minutes of the next ordinary council meeting, following the public meeting to record –
  - 1.1.2. (a) a summary of any submissions received under section 60A(5), and.
  - 1.1.3. (b) any decision made at a public meeting held under this section.
  - 1.1.4. The Public Meeting considered 4 (four) motions. Motions, 1,3 and 4 were lost. Motion 1 was carried. All four votes were determined on a show of hands.

**2. Recommendation*****That:***

1. ***Council receive and note the passing of Motion Two (2), as contained within Attachment A to this report, at the Public Meeting held on 25 March 2025 at the City Hall in accordance with section 60A(5) of the Local Government Act (Tas) 1993, and***
2. ***Council note that Motions 1, 3 and 4 presented at the Public Meeting held on 25 March 2025 at the City Hall in accordance with section 60A(5) of the Local Government Act (Tas) 1993 were lost.***

**3. Discussion and Background**

- 3.1. The matters leading to the holding of the Public Meeting are both well-known and the subject of previous decisions of Council and are not considered further in this report.
- 3.2. The meeting was held in accordance with the relevant provisions of the *Local Government Act 1993*, section 60 – 60A. The term ‘Public Meeting’ was read down in accordance with its ordinary English usage

in that the meeting was open for anybody to attend (irrespective as to if a CoH ratepayer) with all attendees able to vote on the four motions. This approach was entirely consistent with recent previous meetings held in other local government jurisdictions and consistent with both internal and external legal advice. The format of the meeting was also consistent with previous Public Meetings, including one recently held by Clarence City Council.

- 3.3. As explained in the attached meeting documents, 327 individual submissions were received. Multiple submissions raised identical or overlapping issues. These were then condensed into a single 'FAQ' document, published ahead of the meeting. A total of 20 (twenty) key themes were identified for response via the FAQ document.
- 3.4. Council received several proposed motions for debate at the Public Meeting. As provided for in the attached meeting procedures, proposed motions that were either defamatory, offensive, unlawful or unrelated to the Collins Street Tactical Cycleway Trial were not placed upon the agenda. Amendments to motions were also not allowed from the floor on account of logistical considerations. Both decisions were made well ahead of the meeting, with full the support of the Petitioner, and then communicated publicly.
- 3.5. Motions were placed upon the meeting agenda in order of their receipt.
- 3.6. Like motions were consolidated into a single motion.
- 3.7. For example, there were multiple motions calling for the scrapping of the trial. Two advocacy groups (pro-trial) submitted motions calling for the meeting to support the Trial, as agreed by Council on 16 September 2024. Both proposed motions were framed as having three limbs, (a) – (c). Limbs (a) –(b) adopted slightly different wording which was read down as preamble to limb (c), which was identical for both motions. Consequently, one motion (Motion 2) was placed on the meeting agenda calling for an endorsement of the September decision.
- 3.8. Motion 3 also represents a consolidation of two near identical motions, noting the wording was slightly different. One of the two submissions proposed an 'elector poll,' as a component of the motion, while the other did not.
- 3.9. On a strict reading of the Local Government Act it was open to officers to reject the proposed motion calling for a 'poll' as there's a specific statutory process for initiating an elector poll, which does not require a motion from a public meeting. However, in the interests of transparency and good governance it was determined to place that sub-section on the agenda.



**4. Legal, Risk and Legislative Considerations**

4.1. The passing of any motion at a section 60 Public Meeting is not binding upon the Council. The petitioner now has 30 (thirty) days to submit a valid petition under section 60( c) to compel an elector poll, if they so choose. There is no further work, on the part of the council, required at this time.

**5. Strategic Planning and Policy Considerations**

5.1. N/A

**6. Financial and Economic Considerations**

6.1. Financial Considerations:

	2024-25	2025-26	2026-27	2027-28
	\$'000	\$'000	\$'000	\$'000
<b>Revenue</b>				
Existing Revenue				
Additional Revenue				
<b>Total Revenue</b>				
<b>Expenditure</b>				
Operating				
Capital				
<b>Total Expenditure</b>				
<b>Net Cost</b>				
<b>FTE Impact</b>				
	2024-25	2025-26	2026-27	2027-28
Change in FTE				

*Detail the change in the level of full-time equivalents within the group should the requested level of additional funding be required.*

6.2. City Economy Strategy:

N/A

6.3. Economic Impact:

N/A

6.4. Consultants

An independent facilitator (Mr Michael Stedman) was engaged to chair the meeting. External security and St John Ambulance were also engaged. All three engagements were discussed in a previous report to the Council.

**7. Climate and Sustainability Considerations**

7.1. N/A

**8. Community and Business Engagement and Collaboration**

8.1. N/A

**9. Implementation and Communications Plan**

9.1. N/A

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Wes Young  
**MANAGER LEGAL AND CORPORATE  
GOVERNANCE**




Michael Reynolds  
**DIRECTOR CORPORATE SERVICES**



Michael Stretton  
**CHIEF EXECUTIVE OFFICER**

Date: 26 March 2025  
File Reference: F25/21787

Attachment A: Public Meeting Agenda and Summary of Submissions  
(Supporting information) 

Attachment B: Transforming Collins Street FAQs (Supporting information) 

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN****IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT  
(MEETING PROCEDURES) REGULATIONS 2015****23. EV Charging Policy**  
**File Ref: F25/21115; 13-1-09**

Deputy Lord Mayor Councillor Sherlock and Councillor Posselt

**Motion**

“That Council:

- a. Note that it is now developing a policy on electric vehicle (EV) charging as directed by Action 25 of the Hobart Transport Strategy (2024) and Priority 1.3 of the 2040 Climate Ready Hobart Strategy (2024), including addressing charging of EVs at home,
- b. Publicises on the Hobart City webpage what safe options are available to residents to charge EVs,
- c. Collaborate internally across the City of Hobart and externally with government, such as TasNetworks, to understand the safe options available to residents to charge their electric vehicles, and
- d. Provide an update to the Transport Committee on the development of the EV policy at their next scheduled meeting.”

**Rationale:**

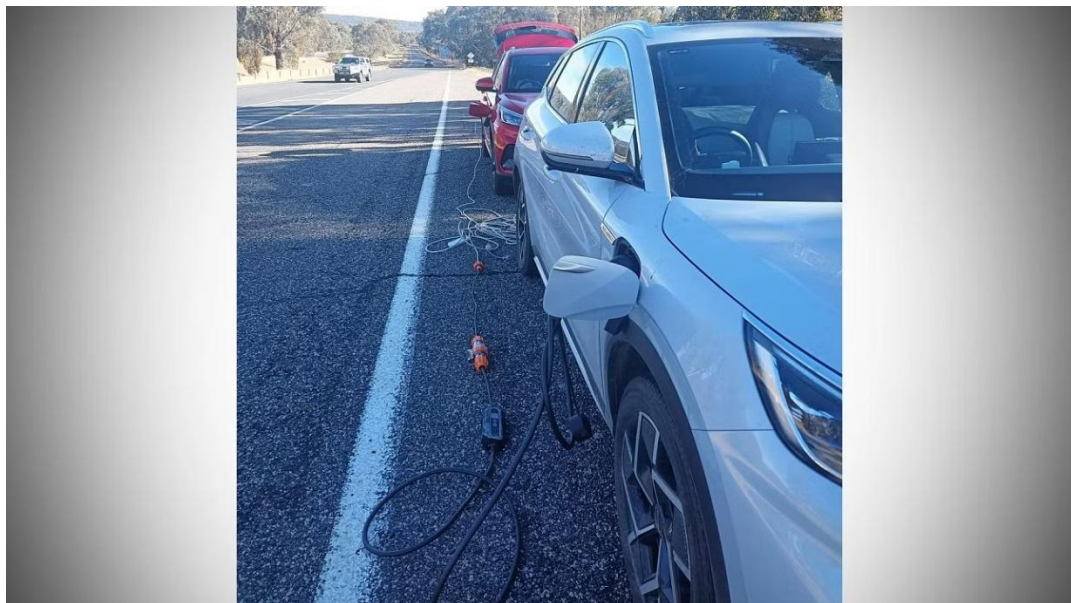
“In the city limits of Hobart, there are approximately 24 charging locations available to the public. This includes eight owned and operated by Hobart City Council. Additionally, there are approximately 18 charging locations at businesses and hotels restricted to staff, customers and guests. During the March City Transport Committee meeting, commentary around EVs suggested that Hobartians without off-street parking or who are tenants in apartments were increasingly limited in their options to charge EVs at home.

The latest data shows that about one of every 50 registered vehicles in Hobart is now a battery electric vehicle (BEV).<sup>1</sup> This is almost double the number and proportion of BEVs registered in Hobart from the year prior. Uptake of EVs is forecast to increase and further accelerate beyond 2029, according to TasNetworks.<sup>2</sup> In a 2021 survey of customers, TasNetworks found that most respondents who did not already own an

<sup>1</sup> Australian Automobile Association (AAA) (Q4 2024). *Electric Vehicle (EV) Index*. Retrieved 17 March 2025 from <https://www.aaa.asn.au/research-data/electric-vehicle/>

<sup>2</sup> TasNetworks (December 2023). *2024-2029 Electric vehicles and network tariffs*. Retrieved 17 March 2025 from <https://www.tasnetworks.com.au/config/getattachment/ac0506cd-b337-466f-81d7-58dd146a3414/tasnetworks-factsheet-electric-vehicles.pdf>

EV were considering purchasing an EV in the next 10 years.<sup>3</sup> Further, respondents, both EV owners and non-EV owners, stated that they would predominantly charge EVs, if they owned one, at home, mostly overnight. This is consistent with the EV ownership experience which is emerging in other parts of Australia and overseas. Around Australia, ratepayers have been creating dangerous and innovative ways (Appendix A<sup>4</sup>) to charge their EV cars, due to a lack of evolution in Council local laws relating to charging EV's at home."



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<sup>3</sup> TasNetworks (September 2021). *Distributed Energy Resources Customer Survey Research Report*. Retrieved 17 March 2025 from <https://www.tasnetworks.com.au/config/getattachment/ea6abf51-6b73-40b2-b2ef-34bd3a313304/tn-der-survey-response-report.pdf>

<sup>4</sup> <https://www.drive.com.au/caradvice/desperate-and-dangerous-the-wildest-at-home-ev-charging-setups-in-australia/>

## Administration Response to Notice of Motion

### Discussion

1. Road transport is the largest contributor to Hobart's community emissions, at 50.1%. Increasing our use of active and public transport is an important way we can contribute to achieving zero emissions community-wide by 2040.
2. New fuel technologies powering a spectrum of vehicles, from personal cars to bicycles and buses, further supports our vision for zero emissions from transport.
3. The *Hobart Transport Strategy* and the *2040 Climate Ready Hobart Strategy*, developed in parallel and endorsed in 2024, both direct the city to develop a policy in support of a climate ready transport system and the transition to zero emissions vehicles.
4. Action 25 of the *Transport Strategy* calls for the policy to clarify community expectations around future fuels and infrastructure and to define the City of Hobart's role. Priority 1.3 of the *Climate Strategy* calls for the policy and a partnership with government and the private sector to support an effective and reliable electric vehicle (EV) charging network.
5. Officers are currently working to develop this policy. The policy is important to make sure that Council can enable the EV transition while protecting the public realm. On 4 March 2025, officers presented to the Transport Committee elements of EV charging policies across the country and sought the Committee's feedback to inform the direction of the policy applicable to Hobart. Officers are certainly open to bringing an update to a future meeting of the Committee and looks forward to their continued feedback.
6. As Deputy Lord Mayor Sherlock and Councillor Posselt point out, EV ownership is growing quickly, and most EV owners wish to charge their vehicles at home and overnight. Some residents who own an EV do not have access to off-street parking where they can make use home electricity to charge their vehicle most cost-effectively.
7. Charging an EV with an extension cord that crosses a property boundary (as depicted in examples from across Australia in the Attachment), is not allowed under Part 3, Division 2 (S 33) of the Electrical Safety Act. Any cable over the footpath would need to undergo a formal approval process under Section 30(2) of the Local Government (Highways) Act 1982.
8. We are mindful that applications by individuals or a third-party operator to install kerbside on-street charging infrastructure on a case-by-case basis in the absence of a policy could increase a sense of ownership over the public

kerbside in front of a property. Thus, we are looking carefully at what an equitable and inclusive approach is here. Officers are actively reaching out to other Councils to understand other local governments' approaches to the challenge of charging EVs at home for residents without available off-street parking.

9. While this work is being undertaken, Council officers have aggregated options residents in this situation can consider, to include:
  - Encourage Hobart employers, school, businesses and community-owned facilities to install EV chargers available to their employees, customers and/or members of the public. The State's Energy Saver Loan Scheme is currently offering 0% interest loans for homeowners and small businesses to install EV charging, and options like InCharge are starting to tackle the challenge of managing EV charging amongst multiple users, such as tenants or employees. Combining daytime EV charging with solar can offer a cost-effective alternative to charging overnight;
  - Arrange an EV charger share with a friend or neighbour. Through the crowd-sourced resource PlugShare, community members can opt to share the location of their Home Charger, potentially connecting neighbours without home-charging set up with one who does;
  - Use publicly available chargers, including one of the eight owned and operated by the City of Hobart. External tools, such as Plugshare, provide detailed information about the approximately 24 public chargers currently operating within Hobart and the dozens in the Greater Hobart area.
10. It is Council officer's intention to publicise current information about EV charging on the City of Hobart website and other information-sharing channels. Officers will endeavour to provide best-available information in the coming weeks and to keep this updated as development of the EV charging policy continues.
11. Council will also continue to collaborate internally across the City of Hobart and externally with government, such as TasNetworks, to understand safe options available to residents to charge their electric vehicles around the community, as motioned by Deputy Lord Mayor Sherlock and Councillor Posselt

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: Pillar 5 – Movement and Connectivity

Outcome: An accessible and connected city environment helps maintain Hobart's

pace of life and ensuring that Hobart has effective and environmentally sustainable transport systems.

Strategy: Hobart Transport Strategy 2024  
2040 Climate Ready Hobart 2024

Legislation and Policy

Legislation: N/A

Policy: N/A

Financial Implications

No financial implications for undertaking the proposed actions within this motion are anticipated.

**24. Cornelian Bay Water Quality**  
**File Ref: F25/21155; 13-1-09**

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Councillor Posselt and Deputy Lord Mayor Councillor Sherlock

**Motion**

“That a report be provided further to the Cornelian Bay Masterplan that is currently being developed by the Council, this notice of motion requests the Chief Executive Officer to complete the following actions:

1. Work with the Derwent Estuary Program to undertake a water monitoring program in Cornelian Bay to assess current water quality levels in the Bay to identify areas of focus for its future remediation; and

Provide a report to the Council outlining future remedial options for improving water quality within the Bay to enable it to once again be classified as a primary contact recreational (i.e. Swimming) site under the Public Health Act 1997.”

**Rationale:**

Water quality within the Derwent Estuary has recently been a focus of many people within the community. In the past few years advocacy groups, such as Safe Water Hobart, have been doing excellent work bringing to light concerns with contamination of the Estuary. Recent events, such as Cadbury’s discharge of high sugar content waste into the sewage system in December of last year, resulting in a contamination event during the height of the summer holidays, combined with the ongoing environmental contamination associated with mass die offs of Salmon within commercial fish pens in the estuary has resulted in increased awareness of the importance of clean water within the Derwent Estuary.

This notice of motion is a timely response to recent events and simply asks officers to monitor the water quality at Cornelian Bay and provide a report to council on remediation options to improve the water quality to a swimming standard under the public health act.

Prior to, and during early colonial settlement, Cornelian Bay was a site of recreation and swimming. There is significant evidence of recreation and swimming at Cornelian Bay through most of the 20<sup>th</sup> century with many older members of our community recalling times of swimming with family at the beach. During the interwar period, the sand was mined from the beach, decreasing the quality of the swimming experience at Cornelian Bay. In the second half of the 20<sup>th</sup> century industrial operations upstream led to contamination of sediment and poor water quality. Eventually leading to a permanent swimming ban being implemented by council shortly after the turn of the century in 2006.

Restoring Cornelian Bay’s water quality is aspirational for a number of reasons. Firstly, protection of the natural environment, its flora and fauna should be a priority of this council. Monitoring water quality will allow council staff to be proactive in identifying and rectifying any ongoing contamination occurring, particularly high



nutrient loads and bacterial contamination from run off through our storm water systems. Secondly, restoration of environment, particularly our waterways, to pre-settlement conditions is both admirable and sensible, and will support the return of endemic species to the area with time. Finally, returning Cornelian Bay water to a quality that facilitates swimming would provide a new swimming beach that would be the northern most swimming area on the River Derwent in Greater Hobart. This would open up the health and community benefits of cold water swimming to many more in the population, including our neighbours who reside in Glenorchy municipality.

### **Pertinent History**

The Council's Environmental Health team and the Derwent Estuary Program (DEP) have periodically carried out water sampling at Cornelian Bay over the years. However, these efforts were halted around 2014 due to WH&S concerns with officers getting stuck in the muddy sediment when wading out to take samples. In addition, discrepancies were consistently found between the readings taken on foot that disturbed sediment and the readings taken by boat that did not disturb sediment. Boat readings showed generally quite good water quality. Due to consistently poor water quality from samples taken on foot a decision was made in 2006 to install permanent signage advising people not to swim in Cornelian Bay.

A Cornelian Bay Management Plan was endorsed in 2006 which contained additional recommendations to:

- Ensure that contaminated sediments remain in situ and undisturbed within the Bay; and
- Increase understanding of contaminated sediment and its effects on the environment, such as concentrations of heavy metals in shellfish and other contaminants.

Since the development of this Plan and associated closure of the beach to swimmers in 2006, the council has not undertaken significant steps to remediate the bay or understand the current contamination levels or their sources. Thus, as 20 years since this action approaches it is timely to revisit monitoring and remediation of this important waterway.

### **Administration Response to Notice of Motion**

#### **Discussion**

Since the development of this the Cornelian Bay Management Plan in 2006, the Council has not prioritised a great deal of work to specifically look at improving the water quality within Cornelian Bay, and certainly there has been no strategic intent to return the Bay to a primary contact recreational site for swimming. At the time that the Plan was developed, the Council did not have a system to follow up on poor readings and work out how to solve them. However, there are a couple of options in place to do that now, so we could request that Derwent Estuary Program resume water quality monitoring at that site, to assess how the quality is

faring and then apply some renewed effort into the identification/mitigation of pollutant sources if required.

Given that the Council is currently preparing a Cornelian Bay Master Plan it does make sense that attention is focused on the water quality within the Bay, particularly with the national and international focus on improving water quality and increasing swimming opportunities in previously contaminated water bodies. We know that there are still sediment plumes that occur from the stormwater outfalls, particularly after rainfall events, and these should not be significantly increasing now that the area is generally developed, and stormwater management practices have improved. Accordingly, the motion is supported.

## Strategic, Legislative and Policy Implications

### Capital City Strategic Plan

Pillar: 6 – Natural Environment

Outcome: 6.1 - The natural environment is part of the city and biodiversity is conserved, secure and flourishing.  
6.3 - Hobart is a city supported by ecologically sustainable waste and water systems.

Strategy: 6.1.3 - Protect and enhance Hobart habitats, key natural assets and ecosystems, including wildlife corridors and waterways.  
6.1.5 - Regulate, measure and manage potentially polluting activities, prioritising air and water quality.  
6.3.3 - Improve water quality in Hobart's waterways and identify water catchment activities that are contributing to stormwater pollution.

### Legislation and Policy

Legislation: Recreational water quality is regulated under the Recreational Water Quality Guidelines 2007, which fall under the *Public Health Act, 1997*.

Policy: NA

## Financial Implications

1. To undertake this additional water testing, the cost would be approximately \$564 for the laboratory testing component. The laboratory cost for each sample is \$47.00 in line with the public health laboratory fees and charges. It would be anticipated one sample being submitted each week of the recreational water season (in line with other beach sampling).
2. There is likely to also be a charge cost for working with Derwent Estuary Program to undertake the sampling, utilising marine craft. This cost is unknown at this stage.

**25. Meetings: Procedures and Guidelines Policy**  
**File Ref: F25/21171; 13-1-09**

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Lord Mayor Councillor Reynolds

**Motion**

“That Council resolve to amend its *Meetings: Procedures and Guidelines Policy (Ref: F16/65294)* to limit the number of notices of motion that can be submitted to a Council meeting to four (4), with a maximum of two (2) notices of motion from any one Elected Member.”

**Rationale:**

“Under Regulation 37 of the *Local Government (Meeting Procedures) Regulations 2015* a Council may determine any other procedures relating to meetings it considers appropriate. The City of Hobart established a Meetings: Procedures and Guidelines Policy in 2011 to provide a framework for the effective conduct of the business of the Council and the governance of Council and Council committee meetings.

Section 15 of the Policy establishes expectations in respect to the management of Notices of Motion (NoM), however, it does not currently provide any guidance and/or controls relating to the preparation and lodgement of NoMs.

I believe that it is necessary to define a limit on the number of NoMs that can be included on the agenda for any one Council meeting.

Limiting the number of NoMs an individual Councillor can submit to any one meeting aims to improve the efficiency of Council meetings and allow sufficient time for the consideration of other items. It also ensures a balanced and well-managed process for motion submissions, the preparation of administrative responses and discussion and debate.

At the February 2025 Council meeting, approximately 2 hours and 15 minutes was spent debating seven notices of motion, five of which were submitted by one elected member.

A brief review of the southern metropolitan Councils identified that in 2024 City of Hobart Elected Members lodged substantially more NoMs than the Elected Members in their neighbouring Councils.

	<b>Council Meetings - 2024</b>	<b>Number of NOMs (open portion of Council meeting)</b>
Hobart	12	29
Glenorchy	12	3
Clarence	16	17
Kingborough	23	1

Whilst it is accepted that elected members are entitled to bring matters to Council via the NoM pathway, providing elected members with an equal opportunity to present a motion, should they wish, promotes fair participation and allows for a range of topics to be considered, rather than being dominated by the priorities of a few individuals.

It would also promote administrative efficiency in the sense that limiting submission of notices of motion per elected member and per meeting would lessen the workload on council.

### **Administration Response to Notice of Motion**

#### Discussion

The rationale behind the proposed motion correctly states that Regulation 37 of the 2016 Regulations permits a council to 'determine any other procedures relating to meetings that it deems appropriate.' However, it should be noted that Regulation 37 does not grant councils a universal right to create their own procedures, contrary to the 2016 Regulations. If that were the case, there would be no work for the 2016 Regulations to do.

It should also be noted that in the event of an inconsistency (as opposed to a direct conflict) between the 2016 Procedures and any Council procedure that the 2016 Regulations shall prevail.

Regulation 16(5) of the 2016 regulations provides for a councillor to submit a written notice for a motion at least 7 (seven) days before the meeting. The section makes no provision for capping the number of motions that can be considered at a single meeting, or the number of motions an individual councillor may seek to have debated.

Regulation 16(6) of the 2016 regulations provides a mechanism for the refusal of a motion for inclusion on the ordinary agenda. The section only provides for three

grounds for refusal, defamatory, unlawful, or otherwise offensive.

It is open to the Council to amend its procedures in accordance with the proposed motion. However, given the primacy of the 2016 Regulations over any internal Council policy, any such policy change would potentially be open to legal challenge.

It is noted that at least one other Tasmanian council has adopted a similar position, and that council has not had their position challenged at this time.

Officers have not had sufficient time to fully consider the implications of the proposed change to the proposed policy, nor the likelihood of a legal challenge.

Officers respectfully advise against amending Council's policy until such time as legal advice can be provided via an officer report, this is expected to occur for the April 2025 ordinary meeting.

### Strategic, Legislative and Policy Implications

#### Capital City Strategic Plan

Pillar: N/A  
Outcome: N/A  
Strategy: N/A

#### Legislation and Policy

Legislation: *Anti-Discrimination Act 1998*  
*Local Government Act 1993*  
Policy: Meetings: Procedures and Guidelines

### Financial Implications

1. N/A

## **26. QUESTIONS WITHOUT NOTICE**

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Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.  
File Ref: 13-1-10

1. A councillor at a meeting may ask a question without notice –
  - (a) of the chairperson; or
  - (b) through the chairperson, of –
    - (i) another councillor; or
    - (ii) the chief executive officer.
2. In putting a question without notice at a meeting, a councillor must not –
  - (a) offer an argument or opinion; or
  - (b) draw any inferences or make any imputations – except so far as maybe necessary to explain the question.
3. The chairperson of a meeting must not permit any debate of a question without notice or its answer.
4. The chairperson, councillor or chief executive officer who is asked a question without notice at a meeting may decline to answer the question.
5. The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.
6. Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.
7. The chairperson of a meeting may require a councillor to put a question without notice in writing.

**BUSINESS ARISING**

**27. Questions Arising During Debate**

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In accordance with the Council's *Meetings: Procedures and Guidelines Policy*, attached is a register of questions taken on notice during debate of previous items considered by the Council.

***RECOMMENDATION***

***That the register of questions arising during debate be received and noted.***

Attachment A:            Questions During Debate - as at March 2025 ↓ 

Questions Taken on Notice During Debate (Open)

Council Meeting Date	Open/Closed	Item No.	Responsible Officer	Question	Response	Status	Reported via Council Agenda
24-Feb-25	Open	Item 15	Neil Noye - Director Infrastructure and Regulatory Services	What's the cost of the yellow line markings to the Council? Is this a large budget item for the year or inconsequential? Estimate for the installation, assessment and staff time.			
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	Why was the Forest Road fire trail proposal cancelled and which fire trail is it referring to?	The project has been postponed, not cancelled, while the scope of the project is reviewed. There is a very steep slope with geotechnical issues in one location and it was found that a Class 3 fire trail could not be achieved through on section so the scope in that section was reduced to a Class 5. There is an alternate access to this point.  Access to the Knocklofty Reverse along the fire trail is possible by Class vehicles now. Larger Class 3 vehicles can access the edge of Knocklofty Reserve by using the main entrance of the McRobies Gully facility.	Closed	31-Mar-25
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	Why was the Inner City Cycle Way Concrete Repairs project cancelled?	The track was repaired with asphalt instead of concrete and carried out by the Roads team internally so this allocation in the Capex program was not required.	Closed	31-Mar-25
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	Why is there a disparity between what UTAS was paying and the commercial rates?	Under section 87(1)(d) of the Local Government Act 1993, all land is rateable except land or part of land owned and occupied exclusively for a charitable purpose, which is exempt from general rates. Under the Charities Act 2013, education meets the definition of a charitable purpose and therefore the University, as an education provider is not required to pay general rates to the City on such land and buildings. It is however required to pay service rates and charges.  The City has a rates equivalency agreement with UTAS. While UTAS is not required to pay General rates, the Rates Equivalency Agreement between the City of Hobart and UTAS provides that UTAS will pay rates equivalent amounts to the City of Hobart for the 10-year life of the Agreement (excluding annual CPI increase and future developer contributions). These amounts are approximate equivalent of the general rates that UTAS would have paid on buildings that they are now using and developing in the City of Hobart. The 10 year agreement is through until December 2029.  The intention under the Rates Equivalency Deed is that the parties meet annually to consider and discuss the application or distribution of the ex gratia payments to the benefit of both parties with the intent that the ex gratia payments be applied for social, environmental, economic and infrastructure initiatives, with a focus on UTAS activities and buildings in the municipal area.	Closed	31-Mar-25
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	With regards to the transfer of funds for the Pipeline track extension, what is the next stage of the process or what will be happening with that?	The transfer of funds was from the contingency to the project to cover the tender submission price, which was higher than the initial estimate. Work commenced on 6 January 2025 and it is estimated the project will be completed by 30 June 2025.	Closed	31-Mar-25
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	What was the revenue for Fines last year and how much has it dropped this year?	Fines revenue for 2023-24 was \$6.6 million. At 31 December 2024, Fines revenue was \$3.5 million.	Closed	31-Mar-25
24-Feb-25	Open	Item 14	Michelle Wickham, Acting Director Corporate Services	In relation to the Operational Variation Request, how far back does the \$92,000 for Rates equivalents for UTAs cover?	The \$92,000 was only for the current year.	Closed	31-Mar-25



24-Feb-25	Open	Item 13	Michael Stretton, CEO	<p>Can the CEO provide his thoughts on a policy change regarding Director delegation for Quotation Exemptions in exceptional circumstances? Can 'exceptional circumstances' be defined or can the delegation be raised to the CEO?</p>	<p>Under local government procurement legislation, procurement is to be undertaken in a way that promotes the principles of open and effective competition, value for money, enhancement of the capabilities of local business and industry, ethical behaviour and fair dealing.</p> <p>The City's procurement processes therefore require that a competitive process be undertaken when spending public funds in accordance with the City's purchasing thresholds to achieve value for money, unless there are grounds for an exemption to that requirement. There are certain situations / scenarios where running a competitive quotation / tender process would not result in value for money for the City.</p> <p>Under Regulation 29(h) Council is, for contracts valued under \$250,000 (ex GST), to specify when 3 written quotations are required. Council has resolved that this threshold is \$50,000 (ex GST) to \$249,999 (ex GST) – noting that the other purchasing thresholds are: under \$10,000 a minimum of one quotation must be sought and under \$50,000 a minimum of two quotations must be sought and \$250,000 and over a public tender is required.</p> <p>Under Regulation 29(i) Council is to establish and maintain procedures for reporting by the general manager to the Council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used. Purchasing exemptions under \$50K are reported to the CEO and over \$50K (that is, where 3 written quotations must be sought but an exemption from the requirement to seek the 3 written quotes is granted) are reported to Council on a quarterly basis. These procedures were approved by Council at its March 2018 meeting. Any requests to waive the requirement to publicly tender are considered by Council and this decision is reported in the City's Annual Report. Public Tender exemption requests are not common.</p> <p>The current procedure on quotation exemptions is that Council pursuant to its Purchasing Policy and Guidelines requires quotation exemptions to be sought using an exemption reporting form, to be approved by the Director before committing the City to the purchase, who has authority to approve and saved with the purchase order in Council's financial system. There is no requirement to report these in Council's annual report.</p> <p>It should be noted that prior to March 2018 purchasing exemptions were approved by the appropriate financial delegate. The delegation was changed to the Director in March 2018.</p> <p>In terms of the current purchasing exemption process, it is proposed that the delegation should remain with the Director for all quotation exemptions up to \$250,000 – consistent with a Director's financial delegation to approve expenditure in line with the Council's approved budget. Having one of the quotation exemption decisions delegated to the CEO and the others</p>	Closed	31-Mar-25
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					<p>delegated to Directors would add complexity and would add an additional administrative / operational burden on the CEO. It is also noted that the CEO receives a report of the purchasing exemptions granted under Director delegation (under \$50K) on a monthly basis.</p> <p>The following improvements will be considered by the Executive Leadership Team:</p> <ul style="list-style-type: none"> <li>• That the term 'exceptional circumstances' be defined to differentiate it from the term 'emergency'.</li> <li>• That the process for quotation exemption approvals over \$50K include endorsement by the Manager Rates, Procurement and Risk before Director approval is sought – and before committing the City to the purchase.</li> <li>• That the purchasing exemption form be amended to include a section to outline the market research completed to substantiate no alternative option exists and / or to provide substantiating information to justify the request.</li> <li>• That the monthly report to the CEO include all purchasing exemptions granted under Director delegation (including those reported to Council over \$50K and under \$250K on a quarterly basis).</li> </ul>		
24-Feb-25	Open	Item 13	Michael Reynolds, Acting Director Infrastructure and Assets	Can Officers provide a narrative to explain why lift cars were purchased for the Council Centre that couldn't be used due for heritage reasons?	<p>The original scope of the project was to replace the existing lifts, which have ongoing performance and reliability issues and pose significant work health and safety risks, with new lifts that comply with current Standards, including fire rating requirements.</p> <p>The lifts were procured; however, installation was paused due to heritage concerns raised by the City's Heritage Officers. The officers requested that the appearance of the old lifts be maintained, including the timber façade, which does not comply with current fire rating standards. These heritage requirements were not immediately apparent during the planning phase, as the project was scoped as a like-for-like replacement. Despite extensive consultation and additional reports, the heritage requirements remained unchanged.</p> <p>As a result, the project scope was adjusted to focus solely on maintenance works. This includes replacing relevant motor components to ensure the continued functionality of the lifts. Parts will be salvaged for use in the current project where possible, while remaining components will be repurposed for other projects where feasible.</p>	Closed	31-Mar-25
28-Jan-25	Open	Item 10	Wes Young, Manager Legal and Corporate Governance	Is there a conflict of interest with the petition referenced in the LAMP as the lead petitioner is now an Elected Member?	Officers cannot advise. Regulation 40 of the Meeting Procedures precludes making an adverse inference regarding a fellow councillor during debate. If a councillor feels there is a conflict the correct avenue is via the Code of Conduct.	Closed	24-Feb-25

28-Jan-25	Open	Item 10	Laura Eaton, Head of Executive Services	Were their initiatives for the elderly, young people or disabled, such as through the Access Advisory Committee, to be included in the engagement process?	<p>The Access Advisory Committee (AAC) were not directly informed of the West Hobart LAMP by the Community Engagement Team. However, AA Lord Retirement Lifestyle Village-Southern Cross Care in West Hobart, were contacted directly via email and postcards.</p> <p>Additionally, all primary schools in the study area received emails and communication materials (posters and postcards) to encourage participation in the LAMP. Participation was very low, with some parents of students at some of the schools attending the workshops, and some engaging during the pop-up session at the West Hobart Train Park. No formal participation from the schools was registered.</p> <p>It is important to note, that the engagement process was open to everyone. The YourSay Map was online for anyone to submit comments and suggestions.</p> <p>The Local Area Mobility Plan was also advertised via social media. However, there were no initiatives targeting any specific age group or specific groups of people. With all Local Area Mobility Plan's they are predominately targeted to the residents of the area specifically.</p>	Closed	31-Mar-25
28-Jan-25	Open	Item 10	Laura Eaton, Head of Executive Services	Is it possible to review other LAMPS around the country in response to Community Engagement?	<p>The City of Hobart community engagement team works closely with our subject matter experts, including in this instance, with the City Transport Group, utilizing all available information to shape local engagement efforts effectively. This approach is informed by advice from both internal teams and external consultants, who bring national exposure and expertise.</p> <p>Their insights help ensure our engagement strategies align with best practices across the country, providing a valuable benchmark for our approach and importantly alignment with community expectations.</p> <p>In terms of what other states might do around community engagement, called "Pedestrian Access and Mobility Plan" in other states, which include community consultation, usually conducted using one or more digital and online methods, including, stakeholder workshops, information sessions, questionnaire surveys, media releases and advertisements.</p> <p>The City's approach to community engagement with respect to LAMPS is very much aligned to best practice and what other jurisdictional Council's do.</p>	Closed	31-Mar-25
28-Jan-25	Open	Item 7.1	Wes Young, Manager Legal and Corporate Governance	Can we check our records on our Council if we've accepted hybrid petitions in the past or if we have we've since ceased it?	The question is somewhat ambiguous as it does not differentiate between a section 57 or a section 59 petition. Council has recently refused a section 57/59 petition as it did not comply with the Act. It is officers understanding that the last petition seeking a public meeting (section 59) was not as hybrid, but have not yet conclusively determined as key staff are on leave.	Closed	24-Feb-25
28-Jan-25	Open	Item 7.1	Wes Young, Manager Legal and Corporate Governance	Does any other Council in Tasmania accept a Hybrid Petition and is it the intent to accept hybrid petitions moving forward?	Preliminary investigations have determined that some other councils have refused to accept hybrid petitions that call for a public meeting under section 59.	Closed	24-Feb-25
29-Jan-24	Open	Item 17	Michael Reynolds, Director City Enablers  Michael Stretton CEO	Please provide an update on the NOM Audit	The CEO is reviewing and a report will provided at a future meeting.		

## **28. CLOSED PORTION OF THE MEETING**

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### **RECOMMENDATION**

That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Minutes of a closed Council Meeting
- Information of a personal and confidential nature
- Matters relating to possible litigation involving the Council

The following items are listed for discussion:-

- |            |  |
|------------|--|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2 | Communication from the Chairperson                                       |
| Item No. 3 | Leave of Absence   |
| Item No. 4 | Consideration of supplementary Items to the agenda                       |
| Item No. 5 | Indications of pecuniary and conflicts of interest                       |
| Item No. 6 | Special Committees - Appointment of Members<br>LG(MP)R 15(2)(g)          |
| Item No. 7 | Elected Member Legal Expenses - Legal Advice<br>LG(MP)R 15(2)(i)         |
| Item No. 8 | Response to Questions without Notice                                     |
| Item No. 9 | Questions without notice   |